

ORDINANCE NUMBER: 2020 - 17

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, GENERAL (RG-1), OPEN RURAL (OR), COMMERCIAL NEIGHBORHOOD (CN), AND COMMERCIAL GENERAL (CG) TO COMMERCIAL, WAREHOUSE (CW) WITH CONDITIONS; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the development of the lands within this rezoning shall proceed in accordance with the application, dated October 23, 2019 in addition to supporting documents and statements from the applicant which are a part of **Zoning File REZ 2019-16 Stratton Boulevard Rezoning**, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. Upon consideration of the application, supporting documents, statements from the applicant, correspondence received by the Growth Management Department, recommendation of the Planning and Zoning Agency, and comments from the staff and the general public at the public hearing, the Board of County Commissioners, finds as follows:

1. The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The rezoning to **COMMERCIAL, WAREHOUSE (CW) WITH CONDITIONS** is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to conforming adjacent land uses. (Objective A.1.3.11)
 - (b) The rezoning encourages an efficient and compact land use pattern and supports balanced growth and economic development. (Objective A.1.11)
 - (c) The proposed project is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan.
3. The rezoning to **COMMERCIAL, WAREHOUSE (CW) WITH CONDITIONS** is consistent with the St. Johns County Land Development Code.
4. The zone district of **COMMERCIAL, WAREHOUSE (CW) WITH CONDITIONS** is consistent with the land uses allowed in the land use designation of Mixed Use as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2019-16 the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to **COMMERCIAL, WAREHOUSE (CW) WITH CONDITIONS.**

SECTION 3. Development of the land shall be subject to the following conditions:

1. The attached Exhibit "B" will regulate allowed and prohibited Principal uses on said subject property that are otherwise permitted under the CW zoning classification
2. In accordance with Condition #1, a minimum 150-foot buffer with a "B" screening standard is required along the northern property boundary. The Stormwater Management Pond shall be included within this buffer.

SECTION 4. To the extent that they do not conflict with the unique, specific and detailed provisions of this Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to development of property referenced herein except to the degree that development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any concurrency provision or impact fee ordinance, building code, Comprehensive Plan or any other non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein. Notwithstanding any provision of this ordinance, no portion of any use restriction, title conditions, restriction or covenant shall be deemed waived or varied by any provision herein.

SECTION 5. This Ordinance shall take effect upon receipt by the Secretary of State.

SECTION 6. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

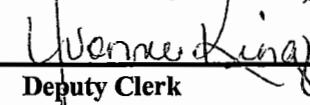
SECTION 7. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 12th DAY OF May 2020.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: 
JEB S. SMITH, Chair

ATTEST: **BRANDON PATTY, CLERK**

BY: 
Venne King
Deputy Clerk

Rendition Date: MAY 14 2020

EFFECTIVE DATE: MAY 15 2020

EXHIBIT A
LEGAL DESCRIPTION (Revised 10-23-2019)
STRATTON BOULEVARD REZONING

DESCRIPTION BY SURVEYOR - REZONED AREA

A PARCEL OF LAND ALL IN GOVERNMENT LOTS 2 AND 3, SECTION 9, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF STATE ROAD 16, A 200 FEET RIGHT OF WAY AS NOW EXISTS, WITH THE EAST LINE OF GOVERNMENT LOT 3, SECTION 9, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 88°55'10" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, 908.04 FEET; THENCE NORTH 01°45'00" WEST DEPARTING SAID RIGHT OF WAY LINE AND PARALLEL WITH THE WEST LINE OF SAID GOVERNMENT LOT 3, 1134.02 FEET, TO THE NORTH LINE OF SAID GOVERNMENT LOT 3; THENCE SOUTH 88°00'00" WEST, ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 299.84 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°45'00" EAST, DEPARTING SAID NORTH LINE OF GOVERNMENT LOT 3, 700.00 FEET; THENCE SOUTH 88°00'00" WEST, 350.00 FEET; THENCE NORTH 01°45'00" WEST, 1.24 FEET; THENCE SOUTH 88°02'25" WEST, 349.37 FEET, TO THE EASTERLY RIGHT OF WAY LINE OF STRATTON BOULEVARD AS NOW ESTABLISHED BY MAP BOOK 62, PAGES 69 THROUGH 72; THENCE NORTH 01°42'32" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, 338.52 FEET; THENCE NORTH 88°00'00" EAST, DEPARTING SAID EASTERLY RIGHT OF WAY LINE, 349.13 FEET; THENCE NORTH 01°45'00" WEST, 300.00 FEET TO THE NORTH LINE GOVERNMENT LOT 2; THENCE NORTH 88°00'00" EAST, ALONG SAID NORTHERLY LINE OF GOVERNMENT LOTS 2 AND 3, 350.00 TO THE POINT OF BEGINNING.

CONTAINING 8.34 ACRES MORE OR LESS.

EXHIBIT B
STRATTON BOULEVARD REZONING
Sec. 2.02.01 Use Classifications and Definitions (Amended)

A. Residential Uses

Residential Uses are those which provide dwellings or Structures intended for occupancy for housekeeping, and includes units which are Single Family detached and/or accessory apartments. ~~multi family in a variety of housing styles, including but not limited to duplex, triplex, quadplex, garden apartments, villas and townhouses, mid-rise and high-rise apartment Buildings, and garage apartments. Also included are Manufactured/Modular Homes, Manufactured/Mobile Homes, condominium ownership, cooperatives, and other ownership arrangements.~~ Residential Uses also include Special Care Housing including group homes, congregate care homes, assisted living facilities, and foster homes; cemeteries and mausoleums; schools with conventional academic curriculum and Community Marinas. Residential Uses also include model homes, with or without sales office and construction trailers. Certain Uses are also allowable in the residential Use category by Special Use, and are specified in Part 2.03.00. Residential units, while allowable, shall not exceed the density limitations shown in the Comprehensive Plan. In addition, ~~not all housing types are allowable in every zoning district. Refer to Section 2.02.03 which describes which housing types are allowable in each residential zoning district.~~

H. High Intensity Commercial Uses

1. Business Uses generally require access to an Arterial or Major Collector or have close proximity to Major Intersections or interchanges with limited access facilities. These Uses are characterized by outdoor activity and outdoor storage, and large demand for parking. High Intensity Commercial Uses are those which are major employment centers, or which serve the traveling public and are oriented to vehicular travel; however, they are distinguished from regional Uses by scale. These Uses are intense as measured by the impacts to adjacent properties, but are typically not of an overall size or Building mass as a regional activity center. These Uses often have an actual or potential negative impact on surrounding properties due to late hours of operation, noise, and or light. Uses may be located in several Buildings, as in shopping centers or business parks, or may be located in a single Building, such as a discount supercenter, or big box retailer. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes Uses by zoning district.

2. Typical Uses in this category include, but are not limited to the following: ~~all types of vehicle sales, rental, service, repair, and storage, including Truck Stops, body shops, road services, car wash facilities, and the sales, rental, repair and service of new or used automobiles, boats, buses, farm and garden equipment, motorcycles, trucks, Recreational Vehicles, and Manufactured/Mobile Homes; Service Stations, Convenience Stores with or without gas pumps, large scale discount centers, supercenters, large scale Building supply centers and do-it-yourself centers, big box retailers; outdoor plant and garden supply sales (not within 300' of North boundary); Professional Offices, general offices, medical offices; government offices; newspaper printing operations and distribution centers; free-standing taverns, Bars, lounges, Night Clubs, and dance halls; psychics in accordance with St. Johns County Ordinance 98-18, as may be amended; financial institutions with or~~

without drive-through facilities; Restaurants with or without drive-through facilities; commercial recreation; vocational, technical and trade schools; facilities operated by a licensed pari-mutuel permit holder; Adult Arcade Amusement Centers; Electronic Game Promotions; indoor activities allowed by or on the premises of a licensed pari-mutuel permit holder; agricultural stands, temporary or permanent; outdoor arenas, rodeo grounds, livestock auction facilities, race tracks (auto, dog, go-kart, horse, motorcycle), indoor shooting and firing ranges; Recreational Vehicle Campgrounds; Ports, Marinas; veterinary offices and Animal hospital with outside Kennels; Kennels and other Animal boarding facilities; storage yards for equipment, machinery, dry storage for boats, and supplies for Building and trades contractors, landscaping services, garbage haulers; extermination and pest control services; Flea Markets or similar outdoor or indoor/outdoor sales complexes, whether temporary or permanent; Hotels and Motels (not within 300' of North boundary); Brewpubs and Microbreweries (not within 300' of North boundary); Churches and Synagogues; and other substantially similar facilities and Uses.

J. Light Industrial Uses

1. The characteristics of Uses in this category include large Lots, often with a single user or single employer, where light manufacturing, storing, or distribution of goods occurs. Buildings are typically one floor, but may cover large portions of land. Businesses may operate on a twenty-four (24) hour time frame and include two (2) or three (3) shifts per day. Truck and rail traffic are common. However, noise, dust and air quality impacts are minimal. These Uses may also have substantial and significant outdoor storage and/or outdoor activity. Uses may or may not be open to the general public. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes Uses by zoning district.
2. Typical Uses in this category are light manufacturing, vegetable food processing, production, packaging and assembly plants; warehousing, ~~with or~~ without distribution centers; lumberyards; large-scale printing plants, newspaper printing operations and distribution centers; business and commerce parks; Ports, Marinas; office showrooms; Vehicle Recycling facilities; composting and other yard waste facilities; extermination and pest control services; storage yards for equipment, machinery, dry storage for boats, and supplies for building and trades contractors, landscaping services, garbage haulers, appliance repair shops and/or machine shops (with only indoor activities and no outside storage); all types of vehicle repair and storage, including body shops, repair and service centers; Boat and RV storage; personal property mini-warehousing; indoor Kennels and other animal boarding facilities; animal care facilities; veterinary office and animal hospitals, groomers; vocational, technical and trades school; Microbreweries (not within 300' of North boundary); commercial recreation; and other substantially similar facilities and Uses.

O. Neighborhood Public Service and Emergency Service Uses

1. This category represents those neighborhood-scale Uses which may have limited outdoor storage and outdoor activity, and may cause potential nuisance, but are nevertheless necessary as support to surrounding Uses. Any potential nuisance is mitigated by limitations on scale of Development, consistent with neighborhood scale Development. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes Uses by zoning district.

2. The type of Uses included in this category include, but are not limited to neighborhood-scale fire stations, police stations, emergency medical services and facilities; ~~water and Wastewater Treatment Plants and facilities and components of water and Wastewater Treatment Plants and facilities; electric substations; telephone equipment stations, switching stations, and similar communication facilities; communication Antennas and Antenna Towers; neighborhood support services; Social Assistance Centers; and other substantially similar facilities and Uses. Neighborhood Public Service and Emergency Service Uses shall not include the erection of structures, buildings, or office facilities for commercial activities, such as the sale of related merchandise or collection of bills, in those zoning districts where such commercial and office activities are prohibited.~~

P. General Public Service and Emergency Service Uses

1. This category represents those Uses which often operate on a twenty-four (24) hour time frame and have a high degree of outdoor storage and outdoor activity. These Uses may cause a nuisance due to noise, and high levels of truck or large vehicle traffic. In addition, not all Uses are allowable by right in every zoning district. Refer to Section 2.03.00 which describes allowable Uses and Special Uses by zoning district.

2. The types of Uses included in this category include, but are not limited to public-use Airports, terminals, heliports, and associated infrastructure; seaplane support facilities; rail yards and terminals; ambulance services; fire stations; police stations, emergency medical services and facilities; government offices and facilities; water and Wastewater Treatment Plants and facilities and components of water and Wastewater Treatment Plants and facilities; electric substations; maintenance, garage, and storage yards for school buses, highway Construction equipment, telephone equipment, utility company trucks and equipment; microwave, radio, and television transmission towers; radiotelephone communication facilities; communication Antennas and Antenna Towers; and other substantially similar facilities and Uses.

I HEREBY CERTIFY THAT THIS DOCUMENT
IS A TRUE AND CORRECT COPY AS APPEARS
ON RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND AND OFFICIAL SEAL
THIS 19th DAY OF May 2020
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners

BY: Yvonne King D.C.



THE ST. AUGUSTINE RECORD
Affidavit of Publication

KAREN M TAYLOR
77 SARAGOSA ST

SAINT AUGUSTINE, FL 32084

ACCT: 15637
AD# 0003265582-01

PO#

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

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says 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 SA Notic Misc in the matter of REZ-2019000016 was published in said newspaper on 03/13/2020.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in 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, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this 13 day of MAR 13 2020
by Kimberly M Reese who is personally known to
me or who has produced as identification

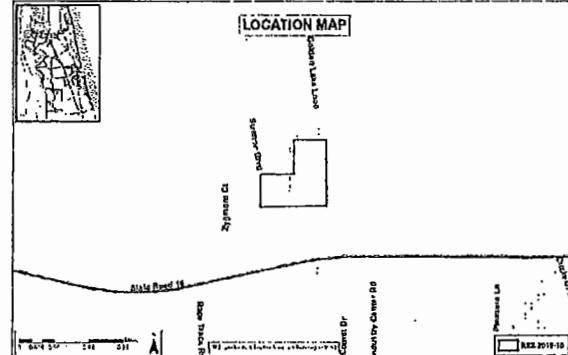
Kimberly M Reese
(Signature of Notary Public)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 4/7/2020 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to consider a Request to rezone approximately 8.34 acres of land from Open Rural (OR), Residential General (RG-1), Commercial Neighborhood (CN), and Commercial General (CG) to Commercial Warehouse (CW) with conditions to allow for commercial intensive and light industrial uses.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, GENERAL (RG-1), OPEN RURAL (OR), COMMERCIAL NEIGHBORHOOD (CN), AND COMMERCIAL GENERAL (CG) TO COMMERCIAL, WAREHOUSE (CW) WITH CONDITIONS; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is East side of Stratton Road, north of State Road 16. See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspected 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.

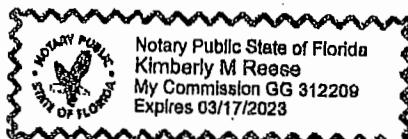
If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony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

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly notice public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0660 or at the County Administration Building, 500 Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, call Florida Relay Service (1 800 955 8770), no later than 5 days prior to the meeting.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JEB S. SMITH, CHAIR
FILE NUMBER: REZ-2019000016
PROJECT NAME: Stratton Boulevard Rezoning

0003265582 March 13, 2020





FLORIDA DEPARTMENT of STATE

RON DESANTIS

Governor

LAUREL M. LEE

Secretary of State

May 15, 2020

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Yvonne King

Dear Mr. Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2020-17, which was filed in this office on May 15, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

MAY 15 2020
FILED _____
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK