ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 - Christian Whitehurst, Vice Chair

District 2 - Sarah Arnold

District 3 - Paul M. Waldron

District 4 - Jeremiah R. Blocker

District 5 - Henry Dean, Chair



BOARD MEETING AGENDA

County Auditorium 500 San Sebastian View

Hunter S. Conrad, County Administrator David Migut, County Attorney Patrick F. McCormack, County Attorney

Tuesday, December 21, 2021 9:00 AM

Please be sure all cellular devices are turned off 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
- ❖ Oath of Office for incoming District 2 Commissioner Sarah Arnold
- Proclamation recognizing January 2022 as Human Trafficking Awareness
 Month
- ❖ Proclamation recognizing December 15, 2021 as Bill of Rights Day
- ❖ Acceptance of Proclamations
- Public Safety Update
- Clerk of Court's Report
- Deletions to Consent Agenda
- Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- Approval of Regular Agenda

<u>Presenter: Ellen Avery-Smith, Esquire, Rogers Towers, Attorneys At Law Staff Member: Teresa Bishop, AICP, Planning Division Manager</u>

District 2

- 1. **Public Hearing** * **DRI MOD 2021-03 SilverLeaf.** Request to modify the SilverLeaf DRI to add 2,394 acres of land to the DRI boundaries, to include additional development rights by increasing permitted Office uses by 250,000 square feet, Single-Family residential by 3,000 units, Multi-Family residential by 600 units and Age-Restricted residential by 2,000 units, to provide transportation, school and other mitigation for the additional development rights, to incorporate certain legislative date changes, and other revisions. SilverLeaf is generally located north of CR 16A, south of CR 210 and west of I-95 with a portion of the DRI located at Longleaf Pine Parkway, CR 210, north of SR 13. The Planning and Zoning Agency (PZA) recommended approval with a 6-0 vote at its regular meeting on December 2, 2021.
- 2. Public Hearing * COMPAMD 2021-10 SilverLeaf (Adoption). Request to amend the Comprehensive Plan Future Land Use Map from Rural/Silviculture (R/S) and Agricultural Intensive (A-I) to Residential A, Residential C, and Community Commercial (CC) for approximately 2,394 acres of land located in the northwest portion of St. Johns County, generally south of the planned First Coast Expressway and east of Trout Creek. The additional 2,394 acres of land is being added into the existing SilverLeaf DRI. The applicant has further proposed a Text Amendment to limit development timing and density on certain parcels. The Planning and Zoning Agency (PZA) recommended approval with a 5-1 vote at its regular meeting on December 2, 2021.

3. Public Hearing * MAJMOD 2021-16 SilverLeaf. Request to modify the SilverLeaf PUD to add 2,394 acres of land to the DRI boundaries, to include additional development rights by increasing permitted Office uses by 250,000 square feet, Single-Family residential by 3,000 units, Multi-Family residential by 600 units and Age-Restricted residential by 2,000 units, to provide transportation, school and other mitigation for the additional development rights, to incorporate certain legislative date changes, and other revisions. SilverLeaf is generally located north of CR 16A, south of CR 210 and west of I-95 with a portion of the DRI located at Longleaf Pine Parkway, CR 210, north of SR 13. The Planning and Zoning Agency (PZA) recommended approval with a 6-0 vote at its regular meeting on December 2, 2021.

<u>Presenter: Karen M. Taylor, Land Planner</u> <u>Staff Member: Jacob Smith, Senior Planner</u>

District 2

4. Public Hearing * MAJMOD 2021-08 Bridle Ridge. MAJMOD 2021-08, Request for a Major Modification to the Bridle Ridge PUD (ORD 2010-42) revising the Master Development Plan to reflect changes of allowed uses in order to accommodate the addition of a new U-Haul facility. At the October 5th BCC meeting, the Applicant requested to be remanded back to the PZA due to modifications to the MDP Map and MDP Text relating to Right-Of-Way reservation and changes to the building layout. The item was reheard by the PZA on November 4th and received a recommendation to approve with a vote of 7-0.

Presenter: Sina Venus

Staff Member: Dick D'Souza, PE, Chief Engineer

District 4

5. Public Hearing * VACROA 2021-03 - Public Hearing to vacate a portion of Old Dixie Highway which is to be used for a second phase of a flex development, St. Johns Commerce East. The applicant requests a vacation of a section of unopened Old Dixie Highway; located immediately southeast of the Hilden Subdivision. The road will include a portion of Old Dixie Highway in parcel 023900-0002 as well as an additional portion which does not have an assigned parcel number. Based on staff's review, traffic patterns will not be negatively impacted, and no party will be unreasonably affected by the requested vacation.

Presenter: Sina Venus

Staff Member: Valerie Stukes, Senior Planner

District 4

6. Public Hearing * **CPA(SS) 2021-03 St Johns Commerce East.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map Designation of less than 6.66 acres of land from Rural Silviculture (R/S) to Mixed Use District (MD).On October 21, 2021 the PZA unanimously recommended approval with a 5-0 vote.

District 4

7. Public Hearing * PUD 2021-04 St. Johns Commerce East. Request to rezone approximately 7.25 acres of land from Open Rural (OR) to Planned Unit Development (PUD) in order to allow for a new flex-warehouse development that will provide for a mix of uses. On October 21, 2021 the PZA unanimously recommended approval with a 5-0 vote.

Presenter: Katie Kulick, AICP, LAN Associates, Inc.
Staff Member: Teresa Bishop, AICP, Planning Division Manager

District 3

8. Public Hearing * MAJMOD 2020-21 Hydro PUD. Request for a Major Modification to the Hydro Aluminum PUD (Ord. 2008-60) to modify PUD name, change the project phasing, increase building square footage in Sub-Phase IA by 182,001 square feet for facility buildout. The subject property is located at 200 Riviera Road. The Planning and Zoning Agency heard this request at their regularly scheduled public hearing on November 18, 2021. The item was recommended for approval with a vote of 5 to 1.

Presenter: Mark Shelton

Staff Member: Jacob Smith, Senior Planner

District 1

9. Public Hearing * **MAJMOD21-11 Greenbriar Downs PUD.** Request for a Major Modification to the Greenbriar Downs PUD (Ordinance 2019-15) to increase the allowed height of structures on the North Parcel from 35 feet to 55 feet to accommodate construction of a church. On November 18, 2021, the PZA recommended approval with a 6-0 vote.

Presenter: James G. Whitehouse, Esq. St. Johns Law Group Staff Member: Teresa Bishop, AICP, Planning Division Manager

District 3

10. Public Hearing * MAJMOD 2021-01 Lightsey Road Storage. Request for a Major Modification to Ordinance 2019-59, revising the Master Development Plan to combine four buildings into two buildings, increasing the square footage from 65,500 to 75,282 square feet, and expanding the Stormwater management system. The Planning and Zoning Agency recommended approval of this request with a 6-0 vote at their November 18 regular meeting.

<u>Presenter: Victor Narusas, Double Eagle Development LLC</u> Staff Member: Jan Trantham, Senior Transportation Planner

District 3

11. Road Impact Fee Credit Transfer - Treaty Ground PUD (Double Eagle **Development, LLC).** Recent amendments to Section 163.31801(10), F.S., of the Impact Fee statute allow impact fee credit holders to assign and transfer unused credits to development projects within the County and which receive benefits from the improvement or contribution that generated the credits. This option applies to all unused impact fee credits regardless of whether they were established before the statutory amendment. The standard language in the County's proportionate fair share and impact fee agreements allow for the assignment of unused impact fee credits with approval of the County. The Treaty Ground PUD Agreement did not address transfer of impact fee credits; however, the County's Road Impact Fee Ordinance provides that credit cannot be transferred without approval of the County. Double Eagle Development, LLC has requested transfer of a portion of the road impact fee credit awarded to the Treaty Ground PUD (Treaty Oaks) for the construction of Brinkhoff Road pursuant to that certain Agreement between K. S. Toney and St. Johns County, approved August 17, 1987. The subject Agreement provided for the provision of 100' of right-of-way and construction of a 2-lane controlled access collector road from Wildwood Drive to SR 207 (Brinkhoff Road) with road impact fee credit based on the fair market value of the ROW at the time of PUD approval and actual construction costs. The Treaty Ground PUD is located on the west side of Wildwood Drive south of SR 207 in Impact Fee District 3 and currently has an unused road impact fee credit balance of \$966,730.00. The request is to transfer the total remaining road impact fee credit in the amount of \$966,730.00 to the Entrada PUD located on SR 207 at Wildwood Drive in the same Impact Fee District 3. Staff has no objection to the requested transfer and finds the request meets the requirements of the Road Impact Fee Ordinance and Florida Statutes.

<u>Presenter: Beth Breeding, A&S Land Development Co</u> Staff Member: Jan Trantham, Senior Transportation Planner

District 1

12. Road Impact Fee Credit Transfer - Vinings PUD (A & S Land Development Company). The standard language in the County's proportionate fair share and impact fee agreements allows for the assignment of unused road impact fee credits with approval of the County. Section 13 of the County's Road Impact Fee Ordinance also provides that credit cannot be transferred without approval of the County. Recent amendments to Section 163.31801(10), F.S., of the Impact Fee statute allow impact fee credit holders to assign and transfer unused credits to development projects under certain circumstances. This option applies to all unused impact fee credits regardless of whether they were established before the statutory amendment. Development Company has requested transfer of the remaining road impact fees credit awarded to the Vinings PUD pursuant to Development and Impact Fee Agreement (Agreement) between Stonehurst Plantation, Inc., A & S Land Development Company, KKP Chippewa, LTD and St. Johns County, approved January 9, 2001 recorded in OR Book 1559 PG 800 (attached for reference). The purpose of the Agreement is to recognize the developer's transportation contributions as providing significant benefit to the impacted transportation system in the area around the proposed project. The subject Agreement provided for the widening of a portion of CR 210 west of I-95 to 4lanes and awarded road impact fee credit to the projects that are a party to the Agreement. The Vinings PUD, which is located west of I-95 in Impact Fee District 1, is built out and has an unused road impact fee credit balance of \$153,000. The request is to transfer the credit to the Bridgewater PUD located on CR 210 east of I-95 in Impact Fee District 2. Since the transfer is not within the same impact fee zone, the Road Impact Fee Ordinance and Impact Fee statutes requires that the improvements for which the credit was awarded must be a benefit to the receiving development project. The review standard for concurrency impact analysis is a 4-mile radius. The Bridgewater PUD is within 4-miles of the CR 210 improvements that were completed pursuant to the Agreement and the Bridgewater PUD traffic analysis included impacts to this portion of CR 210; therefore, the benefit has been established. Staff has no objection to the requested transfer and finds the request meets the purpose of the Agreement, the Road Impact Fee Ordinance and the requirements of Florida Statute.

<u>Presenter: Larry Monahan, Summer Island President</u> <u>Staff Member: Damon Douglas, Coastal Manager</u>

District 3

13. Summer Haven FEMA Berm. HOA Board Members from Summer Island and Barritaria Association met on December 8, 2021, to discuss the decision the Board of County Commissioners made to pursue a managed retreat from Summer Haven. Representatives of the communities, Larry Monahan (Summer Island) and Ken Manning (Barritaria), would like to provide feedback to the Board.

Presenter: Bradley Bulthuis, Senior Assistant County Attorney

14. First Reading of Amendments to Litter Ordinance to Prohibit Release of Balloons and Sky Lanterns. At its November 16, 2021 regular meeting, the Board of County Commissioners directed the County Attorney's office to prepare draft amendments to the litter ordinance, Ordinance No. 1988-26, to prohibit the release of balloons. At present, only the release of 10 or more balloons is unlawful under Florida statute. Recently, local governments in Florida, including neighboring jurisdictions such as the City of St. Augustine and the City of St. Augustine Beach, have adopted ordinances banning the intentional release of any balloons. Other jurisdictions have included in their ordinances a ban on sky lanterns, which are a specific type of balloon held aloft by the hot air from a flame. A memo describing the current state of the law and including applicable statute and recent ordinances from the area is attached to this agenda item. This agenda item includes proposed amendments to Ord. 1988-26 that would make the release of any number of sky lanterns or balloons a violation of the ordinance. Additional supporting documentation is also attached.

Presenter: Roberto Ortiz, Housing and Community Services Manager

15. Public Hearing * Affordable Housing Advisory Committee Annual Report. Section 420.9706 F.S. requires recipients of State Housing Initiative Partnership (SHIP) funds to establish an Affordable Housing Advisory Committee (AHAC) and submit an annual Report to recommend monetary and nonmonetary incentives as part of an affordable housing incentive plan. The AHAC conducted one public meeting on November 17, 2021 and the second one will be conducted on December 21, 2021 (during the Board of County Commissioners meeting) to consider incentive recommendations and impediments to the construction, acquisition, and preservation of affordable housing in St. Johns County, Florida.

Presenter: Melissa Lundquist, Assistant to the Board of County Commissioners

- **16.** Consider election of a BCC member to the Value Adjustment Board and election of the Chair of the Value Adjustment Board. Florida Statute 194.015 and Chapter 12D-9.004 Florida Administrative Code requires that the Board of County Commissioners elect two members from their membership to serve on the Value Adjustment Board (VAB). One of the members elected shall also be elected chair of the VAB. Commissioner Smith had been serving as VAB Chair on the Value Adjustment Board and Commissioner Waldron has been serving as the second member. This item is to elect a successor for Commissioner Smith and elect the new Chair of the Value Adjustment Board.
 - Public Comment
 - Commissioners' Reports
 - County Administrator's Report
 - County Attorney's Report

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BOARD MEETING AGENDA

County Auditorium 500 San Sebastian View

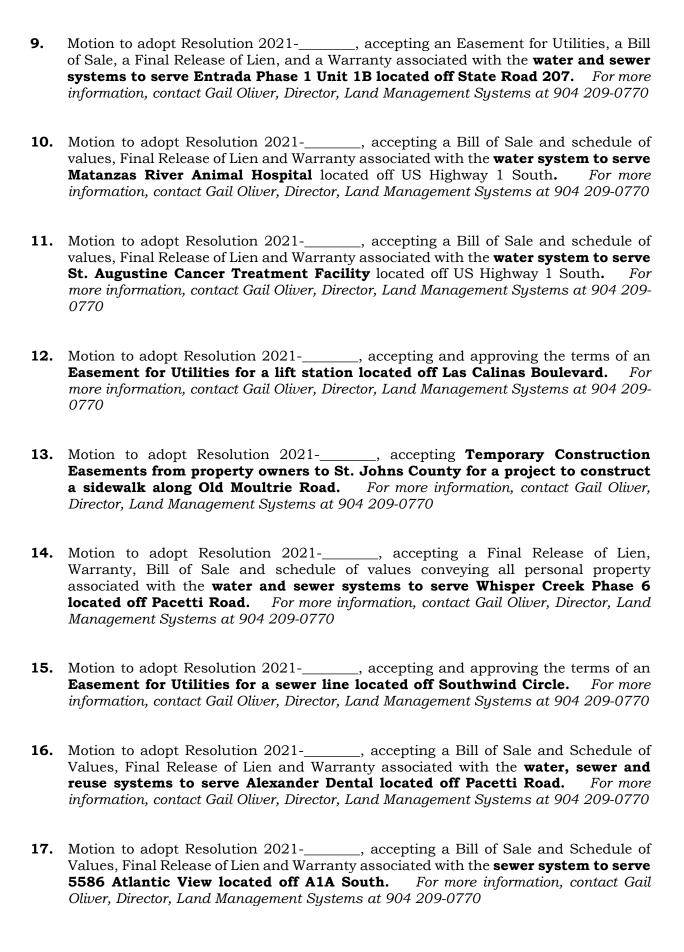
Hunter S. Conrad, County Administrator Patrick F. McCormack, County Attorney

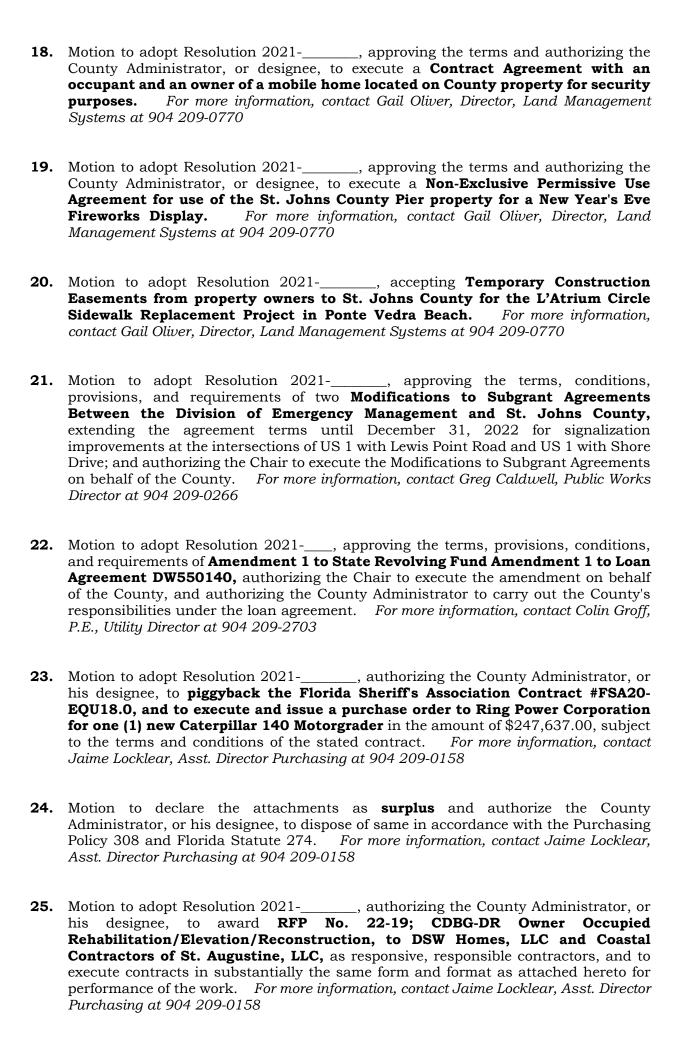
Tuesday, December 21, 2021 9:00 AM

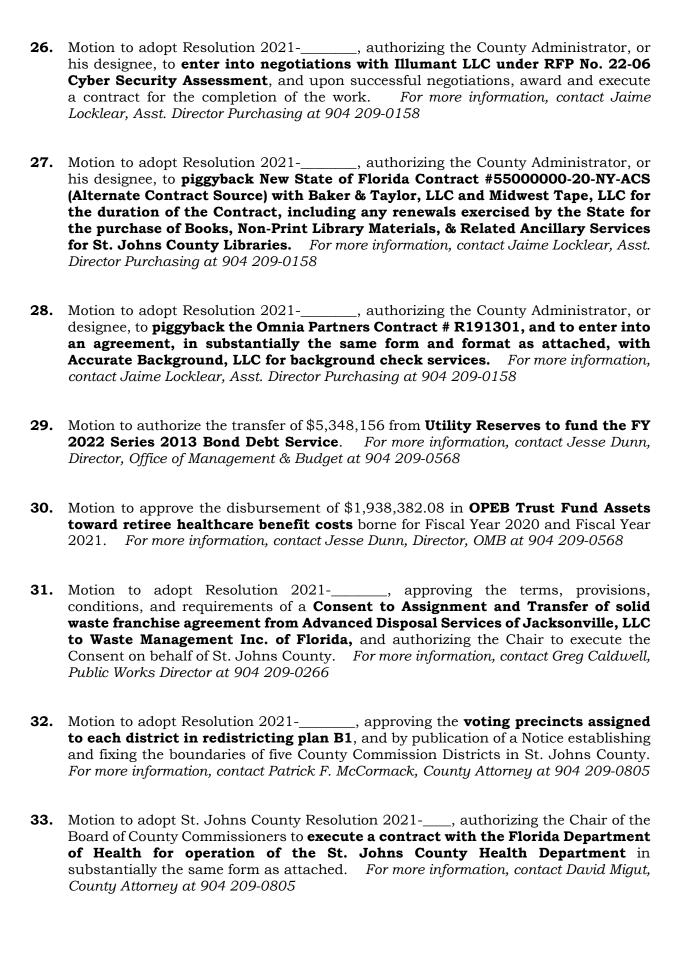
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CONSENT AGENDA

1.	Motion to approve the Cash Requirement Report. For more information, contact Lon Stafford, Director of Financial Support at 904 819-3622
2.	Motion to adopt Resolution 2021, approving the final plat for Twin Creeks North Parcel 1 - Phase Two. For more information, contact Nichole Bradley, Application Review Supervisor at 904 209-0603
3.	Motion to adopt Resolution 2021, approving the final plat for River Landing at Nocatee Phase 2. For more information, contact Nichole Bradley, Application Review Supervisor at 904 209-0603
4.	Motion to adopt Resolution 2021, approving the final plat for Isicoff Subdivision. For more information, contact Nichole Bradley, Application Review Supervisor at 904 209-0603
5.	Motion to not hold optional public hearing, as provided in Florida Statutes. For more information, contact Teresa Bishop, AICP, Planning Division Manager at 904 209-0281
6.	Motion to adopt Resolution 2021, approving and authorizing the Chair of the Board, on behalf of the County, to execute an Easement to Florida Power & Light Company to provide electrical service to the Hastings Waste Water Treatment Plant. For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770
7.	Motion to adopt Resolution 2021, approving the terms and conditions, and authorizing the County Administrator, or his designee, to execute a Purchase and Sale Agreement for the S. Holmes Boulevard CDBG Drainage Project. For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770
8.	Motion to adopt Resolution 2021, accepting five Temporary Construction Easements for roadway and sidewalk improvements along Holmes Boulevard and King Street Extension. For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770







- **34.** Motion to adopt Resolution 2021-______, approving for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance by the **Housing Finance Authority of St. Johns County, Florida of multifamily housing revenue debt obligations**, in one or more series, to finance or refinance all or a portion of the costs of the rehabilitation of a multifamily housing project to be known as The Oaks at St. John; and establishing an effective date. For more information, contact Roberto Ortiz, Housing and Community Services Manager at 904 827-6894
- **35.** Motion to authorize the transfer of \$11,213 in **FY 21 St. Johns Pet Center donations** from General Fund Reserves to the **FY 22 Animal Control Department budget**. For more information, contact Paul Studivant, Animal Control Manger at 904 209-0748
- **36.** Motion to adopt Resolution 2021-_____, authorizing the County Administrator, or designee, to execute a **Tourism Promotion Agreement** in substantially the same form and format as attached. *For more information, contact Tera Meeks, Director, Tourism & Cultural Development at 904 209-4428*
- **37.** Motion to approve **minutes:**
 - 12/07/21, BCC Regular Meeting
 - 12/09/21, BCC Special Meeting (Joint with School Board)