

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 - Cyndi Stevenson
District 2 - Jeb Smith, Vice Chair
District 3 - William (Bill) A. McClure
District 4 - Jay Morris
District 5 - Rachael L. Bennett, Chair



REGULAR MEETING AGENDA

County Auditorium
500 San Sebastian View

Michael D. Wanchick, County Administrator
Patrick F. McCormack, 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 Konchan, 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.

Presenter - Phong T. Nguyen, Manager - Transportation Development Division

District 1

2. **Public Hearing * Durbin Creek National Development Agreement (DEVAGREE 2014-01).** The Durbin Creek National, LLC Development Agreement seeks to establish a method to provide required transportation improvements coinciding with development phasing for within the proposed Durbin Creek National Urban Service Area boundary, and to facilitate the donation of the SR 9B right-of-way for the SR 9B improvements proposed by FDOT. The Durbin Creek National Urban Service Area (USA) is approximately 1,624 acres proposed for land use amendment pursuant to the proposed Durbin Creek National Comprehensive Plan Amendment application (COMPAMD 2014-07). In addition, the proposed Development Agreement establishes reimbursement procedures for certain specific regional roadway improvements constructed in the future. Funds from available Tax Increment and Road Capacity Charges generated within the Durbin Creek National Urban Service Area would be deposited into a Transportation Improvement Trust Fund to provide for these reimbursements. The Board heard the second hearing of this item initially on January 20, 2015, and continued it to February 3, 2015 for final consideration.

Presenter - Patrick F. McCormack, County Attorney

District 1

3. **Public Hearing * Second reading and proposed enactment of Durbin Tax Increment Ordinance.** The proposed ordinance had first reading at the January 20, 2015 BCC meeting. This is the second reading and proposed enactment for the Durbin Tax Increment Ordinance, which establishes a Tax Increment within the geographic area known as the Durbin Creek National Urban Service Area. This is a companion implementing ordinance to the Durbin Creek National Urban Service Area Comprehensive Plan Amendment (COMPAMD 2014-07), the Durbin Creek National Development Agreement (DEVAGREE 2014-01), and a companion Road Capacity Charge ordinance. This ordinance creates a St. Johns County Transportation Improvement Trust Fund and deposits the annual tax increment into the fund. The Board may set the increment percentage to any value up to 95%. The first and primary use of the fund is to reimburse Roadway Improvement Builders as specified in the Development Agreement for the construction of specified roadway improvements. If there are no Roadway Improvement Builders to be reimbursed, the County may use the fund to construct a specified Road in the Development Agreement. Once all specified improvements are constructed and all Roadway Improvement Builders are reimbursed, the County may use the fund for any roadway improvement.

District 1

4. **Public Hearing * Second reading and proposed enactment of Roadway Capacity Charge Ordinance.** This ordinance had first reading at the January 20, 2015 BCC meeting. This ordinance suspends the general County-wide road impact fee in the geographical area known as the Durbin Creek National Urban Service Area, and implements a road Capacity Charge in its stead within that area. This ordinance implements and is a companion to the Durbin Creek National Urban Service Area Comprehensive Plan Amendment (COMPAMD 2014-07), the Durbin Creek National Development Agreement (DEVAGREE 2014-01), and the Tax Increment Ordinance [Durbin]. The ordinance levies a Road Capacity Charge (RCC) due at Building Permit, as specified in the Development Agreement. The RCC when paid is deposited in the St. Johns County Transportation Improvement Trust Fund, for the sole purpose of furthering the construction of the specified Proposed Roadway Improvements in the Development Agreement. As specified in the Development Agreement, a holder of a Roadway Credit Certificate may use the Roadway Credits to pay for the Road Capacity Charge. The relationship is similar to proportionate share credits and impact fees. Due to statutory requirements, this ordinance takes effect 90 days after enactment.

Presenter - James Schock, P.E., C.B.O., C.F.M., Floodplain Manager

5. **Public Hearing * First Hearing - Chapter 1 of the Florida Building Code.** This is the first hearing to consider changes regarding the adoption of the Administrative provisions of the State of Florida Building Code. It is the intent of Legislature of the State of Florida to provide a mechanism for the uniform adoption, updating, amendment, interpretation, and enforcement of a single, unified state building code, to be called the Florida Building Code. The proposed amendment would incorporate The 2010 edition of Model Chapter 1 of the Florida Building Code, entitled "Scope and Administration", as coordinated and modeled after the Building Officials Association of Florida (BOAF) model ordinance. The adoption of this ordinance would accomplish the following: (1) accumulate costs of improvements and repairs over specific periods of time; (2) require certification of foundation compliance in Zone A; and (3) increase the minimum elevation requirement for buildings and structures in coastal high hazard areas, and, pursuant to section 553.73(5), F.S., is formatting these requirements to coordinate with the Florida Building Code. This draft also implements Building Code amendment proposed changes relating to the administrative and flood provisions of the Florida Building Code.

Presenter - Mike Roberson, Chief Planner

District 2

6. **Public Hearing * Second Hearing for PUD 2014-16 St. Johns County Training Facility.** This is the second of two required public hearings before the Board of County Commissioners for a request to rezone approximately 65.94 acres from Planned Unit Development to Planned Unit Development to allow a County training facility along with 16 acres of industrial uses. The site is located at the southern paved terminus of Agricultural Center Drive. As this is a County-initiated rezoning of 10 or more acres, two public hearings are required. One hearing must be held after 5:00 p.m. unless a majority plus one vote to hold the hearing at an earlier time. The Board of County Commissioners heard the item at the January 20, 2015 meeting and voted unanimously to hold the second hearing on February 3, 2015 at the regularly scheduled time-frame (9:00 a.m.).

Presenter - Gary L. Mackey, Transit Grant Specialist

7. **Presentation on Public Transportation Services by the St. Johns County Council on Aging.** As a result of a board request the contracted public transportation provider, the St. Johns County Council on Aging, will give a presentation on the public transportation services they provide to St. Johns County. The presentation will outline what services the County receives as a result of funding provided by the County, including details on how many and who receives these services.

Presenter - Michael Ryan, Communications Manager

8. **Presentation of the final 2015 St. Johns County Legislative Action Plan.** The Board of County Commissioners approved the 2015 St. Johns County Legislative Action Plan on September 3, 2014, contingent upon the inclusion of several requested additions. Requested updates include; the addition of item 3 (m) regarding the Protection of Local Government Revenue Options, item 8 (c) related to the initiative to Ensure Veterans Affairs Clinic is Responsive to the needs of St. Johns County Veterans, item 1 (g) related to the expansion of county transit and item 11 (e) which is related to the New EPA and ACOE Proposed Definition to "Waters of the United States." In addition, the Board requested that language be included in item 3 (e) to enable Florida Department of Environmental Protection to issue permits for local state of emergency events and clarify the permitting process, and the County's top three priorities be updated to replace "Amend Select Florida Statutes" with

“Protection of Local Government Revenue Options.” The St. Johns County Legislative Action Plan is a focused list of priorities for which the County requests financial assistance and other support from our State and Federal delegation members. Legislative priorities have historically included issues related to Florida Statutes, transportation, water quality, unfunded mandates, and a variety of other subjects. On September 3, 2014, County Administration presented a list of recommended items from the constitutional officers, local cities, N.E. Florida Regional Airport, and staff for the Board to consider adopting as the 2015 Legislative Action Plan. The final Legislative Action Plan is subsequently presented to the public and submitted to the County’s Legislative Delegation for consideration prior to the next legislative session.

- ❖ Commissioners’ Reports
- ❖ County Administrator’s Report
- ❖ County Attorney’s Report
- ❖ Clerk of Court’s Report