

SECTION 10.0 REZONINGS

Section 10.01 Introduction

A rezoning petition is a request to amend the County Zoning Atlas. The request is considered by the Planning & Zoning Agency (PZA) or the Ponte Vedra Zoning and Adjustment Board (PVZAB), and final action is taken by the Board of County Commissioners (BCC). The application is reviewed for consistency with the Comprehensive Plan, the Land Development Code and/or the Ponte Vedra Zoning District Regulations, and compatibility with the surrounding area. Applicants are strongly encouraged to meet with surrounding property owners to discuss their proposals. Applications for rezoning are submitted to the Planning & Zoning Division of the Growth Management Department

ADDRESS: 4040 Lewis Speedway, St. Augustine, FL 32084

FILING FEE: [Fee Calculator](#)

Section 10.02 Application Submittal Process

- A. One (1) copy of the following items must be included with a **general rezoning**:
1. Application
 2. Proof of Ownership
 3. Legal Description of subject property

Note: Legal descriptions must be approved by the County before applications can be scheduled for hearings. Applicants who fail to respond to staff comments regarding legal descriptions may have their projects delayed until the problem is corrected and staff signs off on these comments due to the following reasons:

Legal descriptions are required to be included with all adopted ordinances for land use amendments, rezonings, PUD's and Major Modifications to PUD's and with all approved concurrency certificates. Correct and accurate legal descriptions are critical for County staff to create accurate maps for public hearing ads and creation of all other project maps (location maps, road maps, aerials, Zoning maps and Future Land Use maps). Accurate legal descriptions are necessary for Staff to correctly analyze applications and develop staff recommendations. Correct and accurate legal descriptions are required for the County GIS Department to properly query all adjacent property owners within 300 feet of the parcel for notification of hearings. And finally, the Land Development Code and the Comprehensive Plan have different criteria for different sized parcels therefore accurate legal descriptions and identification of parcel size on applications is also

critical (example: 5 acres, 10 acres, 17.5 acres, 39 acres, 40 acres, 50 acres, 100 acres).

4. Owner's Authorization for Agent (with original signatures)
 5. Filing Fee
- B. One (1) copy of the following items must be included with a formal submittal of a **PUD or PRD** application (if the application contains pages exceeding 11" x 17", then 5 copies of such pages will be required): **Prior to submittal of an Application for PUD or PRD, a Pre-application submittal is required as provided in Section 10.03.B.1 of this Manual.** PUD or PRD Pre-application shall contain the same materials as a formal submittal.
1. Application
 2. Proof of Ownership
 3. Legal Description of subject property
 4. Owner's Authorization for Agent
 5. Master Development Plan Text in accordance with Section 5.03.02 G.1 of the Land Development Code; text format must follow order and notation of Code outline (i.e. a, b, c, etc).

Resubmittals of MDP text must contain a strike through and underline version documenting changes from the previous submittal. Please note when necessary Staff will request a redline copy of the MDP text that incorporates the original text and final text in redline strike through format.
 6. Master Development Plan Map in accordance with Section 5.03.02.G.2 of the Land Development Code

Resubmittals of MDP maps must have a date for each submittal and must include 5 copies of a legible scale map.
 7. Filing Fee

Section 10.03 Review Process

- A. PUD, PRD, and General Rezoning
1. Optional pre-application package is submitted for DRC pre-application review. Pre-application package shall contain materials as provided in 10.02.B. The pre-application package shall be submitted to the Planning and Zoning Section along with the filing fee. The pre-application package will be reviewed and scheduled for a DRC meeting. The Development Review Division will advise the applicant of the date and time of the DRC meeting.

2. Comments are provided to the applicant on the pre-application package at the DRC meeting. Applicant should make necessary changes to the application and submit the formal PUD or PRD application to the Planning and Zoning Section.
3. Application is reviewed for completeness and application fee is processed.
4. Application is routed to reviewing departments; reviewing departments have 10 working days to review and provide comments to the Planning and Zoning Section.
5. Reviewing departments comments are compiled, and one of the following will occur:
 - a. A comment report is created and sent to the applicant or his/her representative for additional information or specific comments to be addressed. Comments should be addressed in a resubmittal to the Planning and Zoning Section. Resubmittals are routed to the appropriate reviewing departments for 5 working days.
 - b. The application is determined to be sufficient and ready to schedule for public hearing before the Agency
6. Above Item #5 is repeated until the application is determined sufficient and ready to be scheduled for public hearing or the applicant requests in writing that the item be scheduled for public hearing.

Rezoning applications have six months from the most recent date of the review comment notification to substantially respond to comments. Failure to substantially respond during this period shall expire the application.

Section 10.04 Public Hearing Process

- A. Item is scheduled for a public hearing to be heard by the Agency. At a minimum of fifteen days prior to the public hearing(s), a notice is placed in the St. Augustine Record newspaper, a sign is posted on the property, and a notice is mailed to all property owners within 300 feet of the property. Notification is sent to the applicant advising of the date.
 1. Upon notification by the County, the applicant must provide a list of adjacent property owners within 300 feet of the subject property. The list shall contain the name and address of each parcel as it appears in the St. Johns County Property Appraiser's records.

The list is available from St. Johns County by completing the Adjacent Property Owners List Request Form, included in this Section. Complete and return the form to the County office handling your application, or fax it directly to the attention of the GIS Division at 904-209-0761. You are not required to use St. Johns County as a source; the list may also be obtained through private sources such as an abstract company, title company, or legal office.

In addition to the above list, the applicant must also provide **two** legal size envelopes, addressed and stamped for each name on the list of adjacent property owners. If the name appears more than once (owner of more than one parcel), only one envelope is required.

2. Advertisement within the St. Augustine Record newspaper will be completed by staff; however, payment is the responsibility of the applicant. Please provide contact information for the party responsible for payment of published notice. That party will be contacted by the St. Augustine Record (904-819-3436) for payment once the ad has been sent for publishing. Please be aware that failure to make payment of the advertisement will delay the application from proceeding to the scheduled public hearing date.
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- B. A Staff Report is drafted by the Planning and Zoning Section and is distributed to the reviewing Agency approximately one week prior to the public hearing. Copies will be made available to the applicant and public.
 - C. The reviewing Agency will consider the request during the public hearing and provide a recommendation to the Board of County Commissioners.

The County Administrator provides the date of the Board hearing and the item is scheduled for public hearing. An Agenda package is prepared in accordance with Administrative guidelines. Notification is sent to the applicant advising of the date.

- D. The BCC considers the rezoning and takes final action. If the item is approved, the Ordinance is signed by the Board's Chairperson and sent to the State for acknowledgement and returned to the Clerk for recording. If the item is denied, an appeal may be filed within 30 days of the signed Order.

PLEASE NOTE THAT A RECORDING FEE FOR THE ORDINANCE WILL BE REQUIRED AND MUST BE PAID UPON NOTIFICATION OF AMOUNT DUE.

- E. Once the PUD/PRD is approved a mylar of the Master Development Plan must be submitted to the Planning and Zoning Section for recording with the appropriate recording fee. The Mylar size must be 18 ½" X 25 ½" with ½" margin on the right, top and bottom and a 3" margin on the left side, prepared on a Mylar of 3-mil quality. Checks should be made payable to St. Johns County Clerk of Courts.

Please note that the following "approval block" must be included on all Master Development Plans:

The Master Development Plan Map is a general representation of the approved plan of development. Final construction and engineering plans must demonstrate compliance with all requirements of the PUD/PRD and other applicable land development regulations.

APPROVED:_____

DATE:_____

ORDINANCE NUMBER:_____

FILE NUMBER:_____