

## **SECTION 39.0 DRI DEVELOPMENT ORDER AMENDMENT**

### **Section 39.01 Introduction**

A request to amend an approved DRI Development Order may be considered under either of two methods, Optional Determination or Notice of Proposed Change. Applications are reviewed for consistency with FS 380.06(19), St. Johns County Comprehensive Plan and Land Development Code, the governing Development Order Resolutions and Ordinances, and compatibility with the surrounding area. Applications are submitted to the Planning and Zoning Division of the Growth Management Department.

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

[Fee Calculator](#)

### **Section 39.02 Determination of Notice of Proposed Change under Florida Statute (Optional)**

If an applicant wishes to claim that the proposed Development Order Amendment does not require the filing of a NOPC they may file a written request for such determination under Florida Statute 380.06 (19) (e) (2) accompanied by a fee of \$58/hour with an estimate of hours provided by staff. Such initial fee shall be deemed a deposit and may be subject to additional payments or refunds based on the actual time spent as called out in the County fee schedule regarding the verification of the status of a project and development analysis.

### **Section 39.03 Application Submittal Process**

One (1) copy (unless otherwise noted) of the following items must be included with an application for DRI Development Order Amendment.:

- A. Application
- B. State of Florida NOPC application (Form DEO-BCP-PROPCHANGE-1)
- C. Proof of Ownership
- D. Owners Authorization for Agent (with original signatures)
- E. Appropriate Filing Fee

### **Section 39.04 Review Process**

- A. Determination of Notice of Proposed Change (Optional)
  - 1. Complete application package is submitted to the Planning and Zoning Division, reviewed for completeness and appropriate fees are processed. Additional materials may be requested to determine if a project meets the provisions of Florida Statute.

2. Application is routed to reviewing departments for determination that the request is minor as described in FS 380.06(19)(e)(2)(a)-(k).
  3. Upon completion of staff review the request along with staff's initial analysis is submitted to the Northeast Florida Regional Council (NEFRC) and Florida State Department of Economic Opportunity (DEO) for their review and comments.
  4. If DEO, the NEFRC and St. Johns County staff concur that the proposed amendment does not require a Notice of Proposed Change under FS 380.06, and upon payment of the required County fee for local DRI Development Order Amendment review, the application will proceed through final review and Public Hearings as outlined in Section 39.05 with no further referrals to DEO or the NEFRC.
  5. If DEO and/or the NEFRC determine that the changes to the project and Development Order do not meet the criteria for exemption the application will proceed as a State reviewed NOPC under FS 380.06 upon submittal of the applicable County fee for local DRI Development Order Amendment review.
- B. Local DRI Development Order Amendment Process, including State Reviewed Notices of Proposed Change
1. Complete application package is submitted to the Planning and Zoning Division, reviewed for completeness and appropriate fees are processed.
  2. Application is routed to reviewing departments.
  3. Review follows procedures established in FS 380.06(19) for State Reviewed NOPC applications, and the Public Hearing Process as outline in Section 39.05 below.
  4. For Local DRI Amendments not subject to FS 380.06 as an NOPC, the application shall follow the Public Hearing Process outlined in Section 39.05 below, once the application is complete.

### **Section 39.05 Public Hearing Process**

- A. Item is scheduled for a public hearing to be heard by the Planning & Zoning Agency. Notice shall be given in the same manner as for a rezoning provided in Land Development Code 9.06.04. 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 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.
- 
- B. A Staff Report is drafted 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.
  - D. 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.
  - E. The BCC considers the proposed amendment and takes final action. If the item is approved, the Resolution is signed by the Board's Chairperson and a copy is provided to the DEO and NEFRC.

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