

ORDINANCE NUMBER: 81-4

INTRODUCED BY : COMMISSIONER PARKS

AN ORDINANCE OF THE COUNTY OF ST. JOHNS STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCES 73-1, 73-4, 73-5, 74-3, and 77-6, as amended, WHICH ARE THE ORDINANCES ESTABLISHING AND ENACTING A COMPREHENSIVE ZONING CODE FOR THE UNINCORPORATED AREAS OF ST. JOHNS COUNTY, FLORIDA, EXCEPTING THEREFROM THE PONTE VEDRA ZONING DISTRICT, STATE AND NATIONAL PARKS AND ALL INCORPORATED CITIES AND TOWNS. THIS AMENDMENT PROVIDES FOR THE SPECIFIC INCLUSION OF ZONING CLASSIFICATION PSD (PLANNED SPECIAL DEVELOPMENT), PROCEDURES FOR APPLICATION FOR PSD, EXPIRATION OF TIME LIMITS, IMPLEMENTATION OF PSD, STANDARDS AND CRITERIA OF PSD, AND PROVIDES AN EFFECTIVE DATE.

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

SECTION 1. St. Johns County Ordinances 73-1 73-4, 73-5, 74-3, and 77-6, as amended, is hereby amended by adding thereto the following:

ARTICLE 8-A, PLANNED SPECIAL DEVELOPMENT, PSD

Section 8-A-1, Intent

8A-1-1. The purpose of the Planned Special Development, (PSD) is to allow for special uses and design. The application of flexible land use controls to the development of land is often difficult or impossible within traditional zoning district regulations. In order to permit the use of more flexible land use regulations and to facilitate use of the most advantageous techniques of land development, it is necessary to establish Planned Special Development (PSD) in which development is in harmony with the general purpose and intent of this Ordinance, with the County's General planning program and such comprehensive plans as may from time to time be adopted by the Board of County Commissioners. The objective of the PSD is to encourage ingenuity, imagination and design efforts on the part of builders,

architects, site planners, and developers, to produce developments which are in keeping with the overall land use intensity and open space objectives of the Zoning Ordinance, while departing from the strict application of use, setback, height, and minimum lot size requirements of the several zoning districts. The intent of this part is to permit such flexibility, and provide performance criteria for Planned Special Developments which:

- a. Permit a specific and creative approach to the development of land; and
- b. accomplish a more desirable environment than would be possible through the strict application of minimum requirements of the Zoning Ordinance;
- c. Provide for an efficient use of land and;
- d. enhance the appearance of neighborhoods through preservation and;
- e. Provide an environment of stable character compatible with surrounding areas and;
- f. retain property values over the years.

8A-1-2. PSD Defined

- a. For the purposes of this Zoning Ordinance a Planned Special Development (PSD) shall mean the development of land under unified control which is planned and developed as a whole in a single or programmed series of operations with specific uses and structures substantially related to the character of the entire development.
- b. Permissible Uses. Any use, or combination of uses, which is permitted or permissible by exception in any Zoning Classification may be included and approved in a PSD, by specific reference and approval of that use in the Ordinance creating such PSD.

Section 8-A-2, Procedures

8A-2-1. Application for Rezoning to PSD

An application for Rezoning to PSD shall proceed in general as for other applications for rezoning; and in addition to the information usually required for such applications, the following shall be required:

- a. Plats and/or metes and bounds description of the area within the PSD,
- b. The name and address of the owner, and if applicable, evidence of the assignment of an agent who represents the owner.
- c. Evidence of unified control of the entire area within the PSD with all owners within the area of same identified.
- d. An agreement by all owners within the PSD which includes their Commitment to:
 - 1) proceed with the proposed development in accordance with the adopted PSD and such conditions and safeguards as may be set by the Board of County Commissioners in such Ordinance; and,
 - 2) produce a written statement of a proposal for completion of such development according to plans approved by such Ordinance; and for continuing operation and maintenance of such area, functions, and facilities, and,
 - 3) to bind their successors in title to any commitments made in the application.

8A-2-2. Materials to Accompany Petition. An application

for the rezoning to PSD shall be accompanied by the following in sufficient copies as deemed necessary by the St. Johns County Zoning Board, unless waived by such board, for referrals and recommendations:

- a. Plans, maps, studies, and reports, as may reasonable be required by the St. Johns County Board of County

Commissioners and St. Johns County Zoning Board in order to make the finding and determinations called for in the particular case; and.

- b. A written description of the intended plan of development clearly indicating where approval of the PSD will benefit the future occupants of the proposed development and St. Johns County in general. (Such justifications shall be based on the objectives of Section 8A-1)
- c. A detailed plan at an appropriate scale supporting the above statement illustrating:
 - 1) the detailed location, grouping and height of all uses and facilities.
 - 2) in the case of residential development the number of residential units proposed, their general location, number of stories, indicating those areas to be owner occupied, and those to be renter occupied.
 - 3) a detailed vehicular and pedestrian circulation system including driveways, walkways, and parking area.
- d. A written description of the specific uses for which each structure within the PSD can be used, and schedule of development, including the phasing of areas to be developed and specific time limit for development.

8A-2-3. Action by the Zoning Board and Board of County

Commissioners. Following the public hearings as required for all applications for rezoning, the St. Johns County Zoning Board may recommend and the St. Johns County Board of County Commissioners may enact an ordinance establishing a PSD, including any special conditions related thereto, based upon findings that:

- a. The proposed PSD does not affect adversely the orderly development of St. Johns County as embodied in this

Zoning Ordinance and in any comprehensive plan or portion thereof adopted by the St. Johns County Board of County Commissioners.

- b. The proposed PSD will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the natural environment or development of adjacent properties or the general neighborhood.
- c. The proposed PSD will accomplish the objectives and Standards and Criteria of Section 8A-4.

8A-2-4. Deviations from Ordinance Creating a PSD

- a. In order to facilitate minor adjustments to the plans approved as part of the Ordinance creating a PSD, the St. Johns County Zoning Board may approve changes in such plans in which the buildings have the same or less number of stories, and/or floor area.
- b. The approved Use may not be changes without approval by the St. Johns County Board of County Commissioners, provided proper public hearing and notification as required by this Ordinance, adhering to Section 11 of this Ordinance, is held.

8A-2-5. Expiration of Time Limits Provided In Ordinance

Creating a PSD. If development permitted by the Ordinance creating a PSD are not commenced and completed within the time limits set by the St. Johns County Board of County Commissioners in such Ordinance, the approval of the PSD as provided in such Ordinance shall become invalid and no further action shall be permitted under same. If no specific time limit is set by the St. Johns County Board of County Commissioners in such Ordinance, the time limit shall be one Year.

Section 8A-3, Implementation of a PSD

8A-3-1. Permits Required. All construction in the development of a PSD shall proceed only under applicable permits, issued by the Building and Zoning Office; and no building permit, certificate or other document authorizing construction or occupancy with a PSD shall be issued, except in accordance with the approved PSD Ordinance.

Section 8A-4. Standard and Criteria.

8A-4-1. Density of Development. The total ground occupied by all buildings and structures shall not exceed 35 per cent of the total ground area, unless otherwise specifically excepted by the Ordinance creating a PSD.

8A-4-2. Waiver of Yard, Dwelling Unit, Frontage Criteria and Use Restriction. Minimum yard, lot size, type of dwelling unit, height, and frontage requirements and use restrictions are waived for the PSD, provided the spirit and intent of the Zoning Ordinance is complied with in the total development of the PSD, however, the St. Johns County Board of County Commissioners may, at its discretion, require adherence to minimum zone requirements within certain portions of the site if deemed necessary in order to maintain the spirit and intent of the Zoning Ordinance.

8A-4-3. Project Size. a PSD shall be large enough to meet the minimum lot size(s) as required for the intended use under the other provisions of this zoning ordinance and further must comply with all other applicable provisions of this ordinance, unless specifically excepted by the PSD Ordinance. In no event shall a PSD be granted for more than 10 acres.

SECTION 2. Section 11-10-6, Limitations on Rezoning Land, paragraph (a), is hereby deleted and the following paragraph (a) is substituted in its stead:

a. Except as provided in Article 8, Planned Unit Development AND Article 8A, Planned Special Development no ordinance to rezone land shall contain conditions, limitations, or requirements not applicable to all other land in the zoning district to which the particular land is rezoned.

SECTION 3. This ordinance shall take effect upon receipt of official acknowledgment by the Office of the Secretary of State to the Clerk of the Board of County Commissioners of St. Johns County, Florida that same has been filed.

PASSED BY the Board of County Commissioners, St. Johns County, Florida this 13th day of January, 1981.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: *Henry Walker*
Its Chairman

ATTEST: *Marie Hudson*
Deputy Clerk for
CARL "BUD" MARKEL, CLERK

Adopted regular meeting 1/13/81

Effective 1-16-81

81-4

The St. Augustine Record
PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }
COUNTY OF ST. JOHNS }

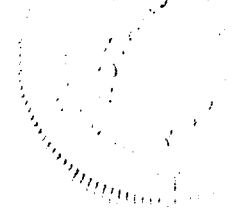
Before the undersigned authority personally appeared _____
Robert E. James _____ who on oath says that he is
Advertising Manager _____ of the St. Augustine Record, a
daily newspaper published at St. Augustine in St. Johns County, Florida;
that the attached copy of advertisement, being a _____
Notice of Public Hearing _____
_____ in the matter of _____
City Commission Meeting O Ordinances 73-1,
73-5, 73-11, 74-3 and 77-6. _____ Court,
was published in said newspaper in the issues of _____
November 29th, 1980

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day, except Sundays, 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 next preceding the first publication of the attached copy of advertisement; and affiant further says that he 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 the said newspaper.

Sworn to and subscribed before me
this 9th day of December _____ *Robert E. James*

A.D. 19 80
Halter R. Lee
Notary Public

(SEAL)



Notary Public, State of Florida at Large
My Commission Expires Sept. 24, 1983
Bonded By American Fire & Casualty Company.

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON JANUARY 13, 1981, AT 2:30 O'CLOCK P.M., IN THE COUNTY COMMISSIONERS ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCES 73-1, 73-4, 73-5, 74-3, and 77-6, as amended, WHICH ARE THE ORDINANCES ESTABLISHING AND ENACTING A COMPREHENSIVE ZONING CODE FOR THE UNINCORPORATED AREAS OF ST. JOHNS COUNTY, FLORIDA, EXCEPTING THEREFROM THE PONTE VECRA ZONING DISTRICT, STATE AND NATIONAL PARKS AND ALL INCORPORATED CITIES AND TOWNS. THIS AMENDMENT PROVIDES FOR THE SPECIFIC INCLUSION OF ZONING CLASSIFICATION PSD (PLANNED SPECIAL DEVELOPMENT), PROCEDURES FOR APPLICATION FOR PSD, EXPIRATION OF TIME LIMITS, IMPLEMENTATION OF PSD, STANDARDS AND CRITERIA OF PSD, AND PROVIDES AN EFFECTIVE DATE.
The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Courthouse, and may be examined by parties interested prior to said public hearing.
All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.
If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings, and for such purpose he 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.
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
By: OLIVER LAWTON
Its Clerk
L801 Nov. 29, SAR