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Public Records of
St. Johns County, FL
Clerk # 2006076865,
O.R. 2801 PG 1203-1216
10/17/2006 at 03:03 PM,
REC. \$57.00 SUR. \$63.50

ORDINANCE NUMBER: 2006- 108

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the development of the lands within this Planned Unit Development shall proceed in accordance with the PUD application, dated August 8, 2006, in addition to supporting documents and statements from the applicant which are a part of Zoning File PUD 2006-04 Old Moultrie Bluff PUD, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. Findings of Fact: that the need and justification for approval of the Old Moultrie Bluff PUD has been considered in accordance with the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code and, whereby, it is found that:

1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The PUD is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan, specifically Goal A.1 of the Land Use Element related to effectively managed growth, the provision of diverse living opportunities and the creation of a sound economic base.
3. The PUD is consistent with the Future Land Use Designation of Mixed Use District (Md).
4. The PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments.
5. The PUD meets the standards and criteria of Part 5.03.02 of the Land Development Code with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
6. The PUD meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Sections 5.03.02(G)1.t and 5.03.02.(F).of the Land Development Code.
7. The PUD would not adversely affect the orderly development of St. Johns County

Inlet y. King
M+R

Ordinance Book 42 Page 1

SECTION 2. Pursuant to this application File Number PUD 2006-04 Old Moultrie Bluff, the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to PUD.

SECTION 3. To the extent they do not conflict with the specific provisions of this PUD Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to this development; except (a) that modification to this PUD by variance or special use shall be prohibited except where allowed by the Land Development Code; and except (b) to the degree that the development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, Comprehensive Plan or any non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 4. This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 5. This Ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of the Court of St. Johns County in accordance with Section 125.68, Florida Statutes.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas maintained in the Zoning Division of the St. Johns County Growth Management Services Department by the Director of Growth Management Services, or his designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 19th **DAY OF** September **2006.**

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: James E. Bryant
James E. Bryant
Chairman

RENDITION DATE 09/21/06

ATTEST: CHERYL STRICKLAND, CLERK

BY: Wonne King
Deputy Clerk

EFFECTIVE DATE: 09/28/06

EXHIBIT C
MASTER DEVELOPMENT PLAN TEXT
OLD MOULTRIE BLUFF

SECTION I – INTRODUCTION

This petition and application for rezoning to Planned Unit Development (PUD) with accompanying documents as required by the St. Johns County Land Development Code seeks to rezone the property described on the attached Exhibit A on behalf of Old Moultrie Condominiums, LLC, the applicant.

A. Location: The property is situated west of US 1 South and east of Old Moultrie Road, south of Kings Estate Road and consists of 11.53+/- acres. The site is presently located within the Mixed Use District portion of the Future Land Use Map (FLUMM) of the St. Johns County Comprehensive Plan which allows for residential use as proposed within this application. The property previously had a single-family residence along with several other small structures which have been demolished.

B. Surrounding Uses: The overall area is surrounded by residential subdivisions and residential uses. The property is currently zoned OR.

C. Ownership: The subject property is owned by Old Moultrie Condominiums, LLC, and the Proof of Ownership is attached hereto as Exhibit D. The appropriate authorization is attached as Exhibit E and all adjoining property owners to be notified are shown on Exhibit F.

SECTION II – SITE DEVELOPMENT CRITERIA

A. Project Description: This property to be considered for rezoning consists of 11.53+/- acres located on the west side of US 1 South. The property is currently zoned OR and the applicant is requesting a zoning change to Planned Unit Development (PUD) to allow the construction of up to one hundred nineteen (119) condominium units to be constructed thereon. Appropriate recreational facilities have been identified on the proposed residential site plan as well as one man-made retention area (pond) approximating .72 acres of the overall site. The development shall be known as **Old Moultrie Bluff Planned Unit Development (Old Moultrie Bluff PUD)**.

The Master Development Plan shown on Exhibit G indicates the general layout of the site for construction of the one hundred nineteen (119) condominium residential units, which will be accessed directly from Old Moultrie Road. The property shall be served by central water and sewer provided by St. Johns County Utilities. The development shall be appropriately blended with the surrounding communities. The design additionally incorporates common open spaces and active and passive recreational opportunities, including a park, and meets the standards of the County's Land Development Code. Jurisdictional wetland areas are located along the outside eastern boundary of the property, and are completely buffered.

B. Site Development Size and Information: There are a total of 11.53+/- acres of property, with 11.53+/- upland acres to be developed.

C. Wetlands: There are no wetlands within the project boundary. The current vegetation on the site within the jurisdictional wetland areas are shown on the Florida Land Use Cover and Classification System Map (FLUCCS) attached as Exhibit H. As mentioned hereinabove, wetlands border outside the eastern boundary of the property. The appropriate buffers (required by St. Johns County LDC Standards) will be provided.

D. Development Area: Of the 11.53+/- acres, 11.53+/- acres will constitute the Development Area (upland acreage only). No wetlands will be impacted.

E. Dwelling Units: The site is planned for one hundred nineteen (119) condominium residential units and it should be noted that the Comprehensive Plan is Mixed Use. The net density is 10.32 units per acre. The population for the development, based on 2.44 residents per household, will equal approximately 290 residents at build-out. At a ratio of 0.55 children per household, the project will generate approximately 65 school age children.

F. Non-Residential Development: There will be no non-residential development.

G. Site Development Criteria:

1. Building Area: Maximum impervious surface shall be 75%.

2. Permitted Uses: The development will be constructed in an orderly manner, and the allowable uses will include Residential Uses as defined within the Land Development Code, allowing for Condominium residential units and related recreational amenities and facilities. In addition, all typical residential accessory and ancillary uses will be allowed as outlined within the Land Development Code.

3. Setbacks: Setbacks shall be measured per the Land Development Code from the portion of the structure from thirty (30) inches above the general level of the graded lot upward; provided, however, that fences, walls, poles, posts and other customary yard accessories, ornaments, and furniture may be permitted subject to height limitation and requirements limiting obstruction of visibility, to the property line and shall be as follows:

a. Front yard: Fifty (50) feet.

b. Side yard: Ten (10) feet.

c. Rear yard: Ten (10) feet from northern boundary line

d. Rear yard: Twenty (20) feet from southern boundary line

e. Minimum of fifteen (15) feet for internal driveways

f. Minimum 10 feet separation between buildings

g. Along Old Moultrie Road: Fifty (50) feet from Old Moultrie Road for buildings, excluding accessory structures as per the Land Development Code. For accessory structures, see subparagraph e below.

h. Accessory uses: Accessory uses and structures shall be as permitted under 2.02.04 of the Land Development Code. No permanent structures shall be allowed within any public or private drainage or underground utility easement. Examples of permanent structures shall include, but are not limited to, air conditioning or electrical equipment, buildings, footings, masonry fences, masonry walls, decks, screened enclosures, patios, swimming pools, and swimming pool decks.

4. Building Height: The maximum height of all structures within the property shall be thirty-five (35) feet.

5. Parking: The required two (2) parking spaces per residential unit will be provided by a minimum one (1) car garage and driveway provided for (1) vehicle per unit totaling 272 spaces. Parking will be provided for within the open space and recreation areas if needed, however, the neighborhood is small enough to provide for pedestrian access and the facilities will be oriented to pedestrian traffic. Guest/Clubhouse parking has also been provided at a rate of one (1) space per four (4) units totaling 34 spaces and 3 spaces will be provided for handicap accessibility.

6. Signage: There will be a minimum of one (1) sign entry feature containing the name of the development at the point where the access easement intersects with Old Moultrie Road at the main entrance, as shown on the Master Development Plan. The sign may either be single or double sided, limited to a maximum size of thirty-two (32) square feet (per side) each, a maximum height of twelve (12) feet and may be lighted or illuminated. The applicant may construct a fence, masonry wall, berm or install landscaping and/or vegetation (or provide a combination thereof) to compliment the entrance feature and the sign may be incorporated into a wall or fence.

H. Infrastructure:

1. Stormwater: Stormwater will be handled on site within retention areas along the eastern portion of the property. The drainage structures and facilities will be designed and constructed in compliance with the Land Development Code in

effect at the time of permitting, subject to the permitting requirement of the St. Johns River Water Management District.

2. Vehicular Access / Interconnectivity: Access to the property will be provided via one (1) roadway located directly off Old Moultrie Road. Roads will be constructed in accordance with curb and gutter standards as stipulated within the St. Johns County Land Development Code.

Vehicle and pedestrian interconnectivity to the adjacent property to the north is currently an assisted living facility therefore interconnectivity is not feasible. The adjacent property to the south is a vacant parcel; future connectivity has been shown on the MDP.

3. Pedestrian Access / Sidewalks: The project will provide for a five (5) foot wide external sidewalk to be located on Old Moultrie Road per Land Development Code regulations. The project will also provide a four (4) foot wide internal sidewalk per Land Development Code regulations.

4. Parks / Recreation: Both active and passive recreation opportunities are provided as shown on the Master Development Plan, Exhibit G, labeled as Park/Recreation, and Clubhouse that shall not be limited to a pool and/or tennis courts. The parks shall total a minimum of 1.66 acres in size with curb and bank. The parks shall include a walking/jogging path, a grassed field, may also provide for park benches and meditation areas, however the active and passive parks shall not be limited to these uses.

5. Open Space: The open space is a minimum of 2.88 acres or 25% of the site as required by the LDC and will provide visual interest, separation from the adjacent exterior residences and will provide buffering to adjacent developments and Old Moultrie Road. Open Space and green space will be provided on the site throughout the recreation areas, the upland and perimeter buffers, and small open space "park" areas interspersed throughout the project. It is projected that the project will provide the following:

- 10' perimeter buffer along Old Moultrie Road
- 25' averaged undisturbed upland buffer -.42
- Recreation – 1.82 acres

6. Potable Water/Sanitary Sewer: Water and sewer for the units developed within the property shall be provided by the St. Johns County Utility Department. The developer shall master plan all phased developments' utility infrastructures to maintain level of service to each phase. If the developer requests prioritizing alternate phases, the utility infrastructure shall have to be accommodated accordingly to minimize impact to existing SJCUD infrastructure. The developer must confirm utility connection points at the design level. Utility

connection points shall be installed as listed in the Availability letter or as directed otherwise by SJCUD to minimize impact to the existing infrastructure or to the existing level of service. Width of right-of-way shall not limit meeting the minimum setbacks for underground utility lines set by SJCUD. The developer will provide the necessary easements in case proposed right-of-way cannot provide the required spacing for proper operation of underground utilities. The developer will not install water or sewer pressurized mains under pavement, sidewalk, and concrete walk unless it is approved by SJCUD. The developer will install such lines in grassed right-of-way. All private lines will be serviced via master meters. The developer will provide restoration easements to maintain utilities in private right-of-way as long as they meet the SJCUD requirements for operation and maintenance. Any landscaping trees shall be placed at a minimum of 7.5 feet away from the center line of pipeline to the center line of the trees.

7. Fire Protection: The applicant will comply with the requirements of the St. Johns County fire Services, LDC Section 6.03.00.

8. Solid Waste: Solid waste will be handled by the licensed franchisee in the area.

9. Utilities: All electric and telephone lines will be installed underground on the site. Electric power will be provided by Florida Power and Light.

10. Outdoor Lighting: Applicant will comply with the requirements for outdoor lighting in LDC Section 5.03.06.H.6.

I. Potable Water/Sanitary Sewer: Central water and sewer service will be provided by St. Johns County Utilities. The developer shall master plan all phased developments' utility infrastructures to maintain level of service to each phase. If the developer requests prioritizing alternate phases, the utility infrastructure shall have to be accommodated accordingly to minimize impact to existing SJCUD infrastructure. The developer must confirm utility connection points at the design level. Utility connection points shall be installed as listed in the Availability letter or as directed otherwise by SJCUD to minimize impact to the existing infrastructure or to the existing level of service. Width of right-of-way will not limit meeting the minimum setbacks for underground utility lines set by SJCUD. The developer will provide the necessary easements in case proposed right-of-way cannot provide the required spacing for proper operation of underground utilities. The developer will not install water, sewer or reclaimed pressurized mains under pavement, sidewalk, and concrete walk unless it is approved by SJCUD. The developer will install such line in grassed right-of-way. All private lines will be serviced via master meters. The developer will provide restoration easements to maintain utilities in private right-of-way as long as they meet the SJCUD requirements for operation and maintenance. Any landscaping trees shall be placed at a minimum of 7.5 feet.

Multi-Family

Wastewater (240 gpd/ 119 units):

- Average 28,560 gpd

Water (300 gpd/ 119 units):

- Average 35,700 gpd

J. Topography and Soils: The property falls within the Zone X and AE (FEMA Panel 12109C0379G) of the Federal Emergency Management Agency (FEMA) flood zone.

The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service, identifies two (2) main soil types on the site: Astatula (2), Samsula Muck (26). A copy of the Soils Map is included as Exhibit J.

K. Site Vegetation and Habitat: The site conservation consists of a minimum 5% of Upland Natural Vegetation including upland buffers. The site evaluation indicates the following FLUCCS (Florida Land Use, Cover Classification System) Code has indicated three habitat types on the attached map: 110-residential, low density; 110/427-residential and live oak habitat; and 630-wetland forested mix. None of the on-site communities meet the description of the imperiled habitats defined in Section 4.01.07 of Article IV of the St. Johns County Land Development

L. Significant Natural Communities Habitat and Listed Species: No areas of Significant Natural Communities Habitat (as defined by the St. Johns County Land Development Code) or presence of their critical habitat found on site. The report by the contracted consultant has been furnished to St. Johns County and the proposed PUD language updated accordingly.

M. Historic Resources: Forthcoming

N. Buffers: In accordance with the current St. Johns County Land Development Code, the following buffer areas will be established and maintained within the development, as shown on the Master Development Plan shall include:

1. A fifty (50) foot building setback along Old Moultrie Road per Section 5.03.03.B of the Land Development Code will be provided.
2. A twenty five (25) foot undisturbed upland buffer per Section 4.01.06 of the Land Development Code will be provided, which may be averaged (but no less than ten (10) feet in width), measured landward from the state wetland jurisdictional line shall be maintained around all contiguous wetlands of the site. This upland buffer is to remain a natural vegetative undisturbed buffer. A building setback of twenty-five (25) feet shall be maintained landward of the twenty-five (25) foot upland buffer. Accessory activities and improvements are not allowed to take place

within the 25-foot buffer area, but will be allowed to take place in the 25-foot setback area. Roadways, stormwater ponds and associated stormwater structures, gazebos, swimming pools, and other structures per Section 2.02 of the LDC are allowed in the setback area. The project is required to provide a minimum of .42 acres of undisturbed upland buffer.

3. A ten (10) foot perimeter buffer will be provided per Section 5.03.03.A.4 Land Development Code regulations.
4. A forty (40) foot undisturbed buffer will be provided on the southern boundary of the project except the boundary near the buildings where forty (40) feet may not be feasible there fore a minimum of thirty (30) will be provided excluding areas near lift station and retention pond.

The Natural Vegetative Upland Buffer and additional Building Setback shall be depicted on all construction plans and shall be recorded on the plat.

A wall, fence, landscaping or landscape berm will be provided as required by the Land Development Code in Section 5.03.03.B.e. Landscaping will be in compliance with the Land Development Code Section 6.06.04.B.6.

Land clearing plans will be submitted for the roads, recreation areas and drainage facilities with the Construction Plans. The development will conform to all land clearing and tree credit/replacement requirements outlined within the Land Development Code, effective at the time of permitting.

O. Special Districts: This project is not located in any special district as defined by Article III of the LDC.

P. Temporary Uses: Temporary construction/sales trailers may be utilized and placed on the site upon approval of the construction plans and the locations will be shown on the Construction Plans.

Q. Accessory Uses: Accessory uses and structures will be allowed as per the St. Johns County Land Development Code, provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of structure. Air conditioning units are not considered structures and may be included within the setback line without violating the setback requirements. Accessory uses, such as Home offices, pets, etc. will be allowed as per the requirements for residential districts stipulated within the Land Development Code. No permanent structures shall be allowed within any public or private drainage or underground utility easement. Examples of permanent structures shall include, but are not limited to, air conditioning or electrical equipment, buildings, footings, masonry fences, masonry walls, decks, screened enclosures.

R. Phasing: The **Old Moultrie Bluff PUD** shall be developed in one (1) phase. The residential units and associated facilities shall be commenced within three (3) years of approval of the PUD. Construction shall include all horizontal improvements, including roads and drainage facilities, as well as installation of recreation area improvements. Commencement shall be defined as approval of construction plans by the St. Johns County Development Services Department and completion shall be defined as the installation of all infrastructures and approval of as-builts for the phase. Completion shall be within five (5) years of date of commencement. Water and sewer infrastructure shall be constructed in one (1) phase. FDEP permits will be obtained in accordance with the phasing schedule.

S. Project Impact: The property is located within the Mixed Use Future Land Use Area of the 2015 St. Johns County Comprehensive Plan, which allows for residential uses within the Land Development Code. The overall area and neighborhood is ideally suited to this type of residential development as it is in close proximity to community facilities and the central portion of the County with associated recreational facilities and shopping. It has excellent access to major roadways and transportation corridors including connection to US 1 South in the southern portion of St. Johns County. These roadways connect the development to area employment opportunities and retail activities, nearby schools, cultural facilities (such as the St. Johns County Southeast Library) and both active and passive recreational opportunities. The site is located such that the location, size and design of the project will provide privacy and buffering from the other development in the area and incorporates a significant amount of open space and green space that has been interspersed throughout. The project will be served by centralized utilities. The site design will provide a unique development with most units being located with perimeter buffers or internally along retention areas or backing up to open space. The centrally located recreation areas will allow for neighborhood interaction, whereby residents can meet and enjoy active and passive recreation opportunities in common areas throughout their immediate neighborhood. Access will be provided for pedestrians. The applicant believes that the proposed Planned Unit Development will be of benefit to the future occupants of the project and to the residents of St. Johns County, in that it will further the stated goals and objectives of the County Comprehensive Plan and provide for a more desirable environment than could be accomplished through traditional zoning.

T. Waivers / Variances / Deviations:

The applicant maintains the right to request small adjustments, minor and major modifications to the PUD in accordance with the standards set forth for Planned Unit Developments within the LDC.

U. Ownership / Agreement to Comply: The applicant its successors and assigns hereby agrees and stipulates to proceed with the proposed development in accordance with the

PUD Ordinance for this application as adopted by the St. Johns County Board of County Commissioners. The applicant, its successors and assigns, also agree to comply with all conditions and safeguards established by the St. Johns County Planning and Zoning Agency and the St. Johns County Board of County Commissioners regarding said PUD specifically outlined as follows: "To the extent that they do not conflict with the unique specific and detailed provisions of this approved PUD Ordinance, all provisions of the Land Development Code, as such may be amended from time to time, shall be applicable to this development; except (a) that modification to this PUD by variance or special use shall be prohibited; and except (b) to the degree that the development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency ordinance, building code, comprehensive plan or any other non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein."

All drainage facilities and common areas, located within the **Old Moultrie Bluff PUD** for the common use and benefit of all property owners, shall initially be constructed, owned and maintained by the Applicant, his successors and/or assigns. The site shall be maintained in a clean and orderly manner in accordance with all provision of this PUD and conditions included within the adopting Ordinance. Legal documents and agreements for common ownership by property owners and/or a property association, shall meet the requirements of the St. Johns County Land Development Code in effect at the time of establishment.

V. Future Land Use Designation: The property is located wholly within the Mixed Use future Land Use Designation on the 2015 Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan.

SECTION III. SUMMARY AND CONCLUSIONS

The need and justification for approval of the **Old Moultrie Bluff PUD** has been considered in accordance with the St. Johns County Land Development Code and St. Johns County Comprehensive Plan, whereby, it is found that:

A. Consistency with Comprehensive Plan: The project is located within the Mixed Use category of the 2015 St. Johns County Comprehensive Plan. Development of the subject project is consistent with the St. Johns County Comprehensive Plan, including Goal A.1 "To effectively manage growth", Objective A.1.2 Control of Urban Sprawl (specifically A.1.2.2), Objective A.1.3 Surrounding Land Use (it is compatible, per Policy A.1.3.12 with the adjacent existing residential development will meet Policy A.1.9.5 regarding application by the provisions of the Planned Unit Development land development regulations, Policy A.1.9.6 by providing a Master Development Plan, and Policy A.1.9.7 by being served by central utilities.

B. Location: The project is located within a Residential Use area on the 2015 FLUM, which district allows for the type of development envisioned within the PUD. Therefore,

the project conforms to the requirements for location as stipulated within the Land Development Code.

C. Minimum Size: The area encompassed by this project is greater than the minimum size criteria for development under the criteria established within Section 6 of the Land Development Code.

D. Compatibility: The proposed uses are compatible with the area and the overall community and meet the criteria established within Objective A.1.3 Surrounding Land Use, which provides that "When a rezoning is considered, the County shall ensure compatibility of adjacent and surrounding land uses. Land uses, as defined in Chapter 163, Part II, Florida Statutes (Growth Management Act), include but are not limited to permitted uses, structures and activities allowed within the land use category or implementing zoning district. Compatibility means a condition in which land uses can co-exist over time such that no use is unduly negatively impacted by another use." Since, the County must determine whether the request is compatible, it is important to note that the surrounding uses do meet the criteria within the previous Objective, within Policy A.1.3.12, which states that "A rezoning request may be approved only upon determination that the application and evidence presented establish that all the proposed permitted uses are compatible with conforming land uses located on adjacent properties".

Adjacent land uses surrounding this property include vacant land and residentially developed property. To the east of the Property is US 1 south and to the west of the property is Old Moultrie Road, which currently has developed residential housing thereon. All of these existing uses are compatible according to the St. Johns County Comprehensive Plan and Land Development Code. The proposed use of the property is compatible with the area and the uses on the adjacent properties and is in conformance with the criteria established within the Comprehensive Plan whereby: the permitted uses will not have an unreasonable incompatible impact on the contiguous and surrounding area; the proposed traffic flow for the permitted uses will not have an unreasonable impact on the contiguous or surrounding areas or an unreasonable impact on the wear and tear of any public roadway; the proposed permitted uses will not cause a public nuisance; and the proposed permitted uses, structures and activities within the PUD are allowable within the Mixed Use Future Land Use designation. The proposed zoning will not change the existing and allowable land uses, their impact to the surrounding area, the traffic flow for the site, or provide for any activities constituting a public nuisance. Development will conform to the current Land Development Code standards.

The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, will conform to the current Land Development Code standards; will not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, as the proposal is in conformance with the Plan and its goals and objectives. It will not adversely affect the health, safety and welfare of the residents or visitors to the area, nor be detrimental to the natural environment or the development of adjacent properties or the neighborhood.

E. Adequacy of Public Facilities: The subject property and future project is served by a major transportation system, central water and will provide on-site stormwater and drainage facilities that mitigate any off-site drainage impacts. The PUD will proceed under a Certificate of Concurrency consistent with Objective A.1.2 Control of Urban Sprawl, specifically Policy A.1.2.1 which states “The County shall only issue development orders or development permits consistent with the provision of the County’s Concurrency Management System, as provided in Objective J.1.5.”

F. Relation to PUD Regulations: The subject project meets all applicable requirements of Section 5.03.00 Planned Unit Development districts, as well as general zoning, development and other regulations except as may be waived pursuant to Subsection 5.03.02 (F) of the Land Development Code.

G. Master Development Plan: The Master Development Plan Text and Map for this project meet all requirements of Section 5.03.02 (G) of the Land Development Code.

This PUD provides for strict regulation and maintenance of the project to provide the County assurance of an attractive and beneficial asset. The project has available and adequate public facilities and services are available to support it. When developed in accordance with the conditions stipulated in the PUD application, the PUD will contain the type of uses compatible with the emerging development patterns of the area, will be compatible with the desired future development of the area, and will be consistent with the St. Johns County Comprehensive Plan and all County requirements and guidelines.

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **SARAH SELFRIDGE**
who on oath says that she is an Accounting Clerk of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being **NOTICE OF HEARING**
in the matter **PUD 06-04 OLD MOULTRIE BL**
was published in said newspaper in the issues of

AUGUST 22, 2006

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
heretofore been continuously published in said St. Johns County, Florida, each
day and has been entered as second class mail matter at the post office in the
City of St. Augustine, in said St. Johns County, for a period of one year preceding
the first publication of the 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 the advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this **22ND** day of **AUGUST 2006**.

by *Sarah Selfridge* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Brian Fike

(Signature of Notary Public)



Brian Fike
My Commission DD327588
Expires June 09, 2008

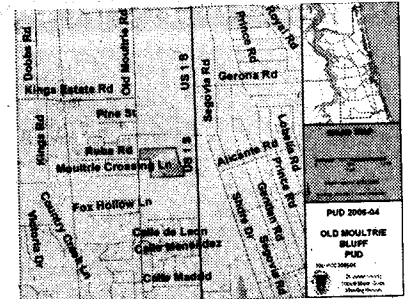
(Seal)

BRIAN FIKE

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, September 7, 2006 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency and on Tuesday, September 19, 2006 at 9:00 a.m. by the Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to rezone from Open Rural (OR) to Planned Unit Development (PUD).

The subject property is located at 2850 Old Moultrie Road within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. For hearing impaired individuals, call Florida Relay Service at 1 800 955 8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made 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 appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedures. It is anticipated that one or more County Commissioners may attend this meeting. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JAMES BRYANT, CHAIRMAN

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
HENRY GREEN, CHAIRMAN
FILE NUMBER: PUD 2006-04 Old Moultrie Bluff
L2350-6 Aug 22, 2006



STATE OF FLORIDA
DEPARTMENT OF STATE
STATE LIBRARY AND ARCHIVES OF FLORIDA

JEB BUSH
Governor

SUE M. COBB
Secretary of State

September 29, 2006

Ms. Cheryl Strickland
Clerk of the Circuit Court
St. Johns County
4010 Lewis Speedway
St. Augustine, Florida 32084-8637

Attention: Yvonne King, Minutes and Records Division

FILED
06 OCT 17 AM 9:27
CLERK OF CIRCUIT COURT
ST. JOHNS COUNTY FL

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated September 27, 2006 and certified copies of St. Johns County Ordinance Nos. 2006-108 and 2006-109, which were filed in this office on September 28, 2006.

Sincerely,

Liz Cloud
Program Administrator

LC/bpn

DIRECTOR'S OFFICE

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