

ORDINANCE NUMBER: 2011-2

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A MAJOR MODIFICATION TO THE SAMARA LAKES PLANNED UNIT DEVELOPMENT, ORDINANCE NUMBER 2003-62, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Records of
St. Johns County, FL
Clerk # 2011005175,
O.R. 3403 PG 1192-1203
01/31/2011 at 03:55 PM,
REC. \$49.00 SUR. \$54.50

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

WHEREAS Standard Pacific of Florida, Inc., the owners of lands described herein, and incorporated by reference as Exhibit "A" (legal description), filed an application, incorporated by reference as File Number MAJMOD 2010-07, dated September 9, 2010, for a Major Modification to Samara Lakes Planned Unit Development (PUD) Ordinance Number 2003-62, as amended, as described hereinafter, and after required notice was published, a public hearing was held on the 18th day of January, 2011, at 9:00AM on said application.

SECTION 1. That development of lands within the Samara Lakes PUD shall proceed in accordance with Ordinance 2003-62, as amended, including the Application for Major Modification dated September 9, 2010 and attached hereto and made a part hereof.

SECTION 2. That the need and justification for modification of the Samara Lakes PUD has been considered in accordance with Section 5.03.05.C of the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby:

1. The request for a Major Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. As modified, the Samara Lakes PUD is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan.
3. As modified, the Samara Lakes PUD is consistent with Part 5.03.05.C of the St. Johns County Land Development Code, which provides conditions for Major Modifications to approved PUDs.
4. As modified, the Samara Lakes PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments and with the General Standards of Section 5.03.02 with respect to (B) location; (C) minimum size; (D) compatibility, and (E) adequacy of facilities.
5. The Master Development Plan Map and Text for the Samara Lakes PUD meet all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.
6. As modified, the Samara Lakes PUD does not adversely affect the orderly

development of St. Johns County and is compatible and consistent with the development trends of the surrounding area.

SECTION 3. That all other provisions of Ordinance 2003-62 as amended, not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Except to the extent that they conflict with specific provisions of the approved development plan or the PUD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, the Concurrency Management Ordinance and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development, except modification to approved development plans by variance or special use shall be prohibited except where allowed by the Land Development Code. 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 5. That the terms of this modification to the Samara Lakes PUD shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 6. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 18th **DAY OF** January **2011.**

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

BY: J. Ken Bryan
**J. Ken Bryan
Chairman**

Rendition Date: January 20, 2011

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland
Deputy Clerk

Effective Date: January 24, 2011

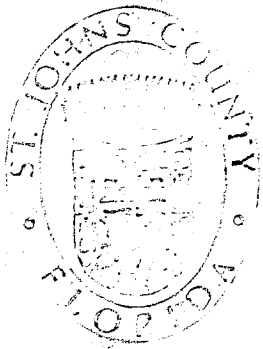


Exhibit A – Legal Description

A PART OF THE PACETTI DONATION, SECTION 37, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF LOT 9, AS SHOWN ON THE PLAT OF SAMARA LAKES UNIT ONE AS RECORDED IN MAP BOOK 53, PAGES 37 THROUGH 45 OF THE PUBLIC RECORDS OF SAID COUNTY AND RUN SOUTH $00^{\circ} 14' 15''$ WEST, ALONG THE EASTERLY LINE OF SAID LOT 9, TO AND ALONG THE EASTERLY LINE OF LOTS 10 THROUGH 20 SAID SAMARA LAKES UNIT ONE, A DISTANCE OF 764.59 FEET; THENCE SOUTH $38^{\circ} 53' 02''$ WEST, CONTINUING ALONG SAID EASTERLY LINE OF LOT 20, TO AND ALONG THE EASTERLY LINE OF TRACT "F", SAID SAMARA LAKES UNIT ONE, A DISTANCE OF 51.68 FEET TO THE SOUTHEASTERLY CORNER OF SAID TRACT "F"; THENCE SOUTH $01^{\circ} 39' 57''$ EAST, ALONG A WESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS OF SAID COUNTY IN BOOK 1145, PAGE 1170, A DISTANCE OF 418.24 FEET; THENCE NORTH $89^{\circ} 58' 14''$ EAST, ALONG A SOUTHERLY LINE OF LAST MENTIONED DEED (ALSO BEING THE NORTHERLY LINE OF LANDS FORMERLY OWNED BY EVERETT PACETTI), A DISTANCE OF 448.67 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN NORTH $00^{\circ} 01' 47''$ WEST, A DISTANCE OF 285.75 FEET; THENCE SOUTH $89^{\circ} 58' 14''$ EAST, A DISTANCE OF 693.26 FEET; THENCE NORTH $18^{\circ} 12' 11''$ EAST, A DISTANCE OF 67.78 FEET; THENCE NORTH $25^{\circ} 55' 56''$ WEST, A DISTANCE OF 455.27 FEET; THENCE NORTH $55^{\circ} 42' 08''$ EAST, A DISTANCE OF 575.34 FEET; THENCE SOUTH $89^{\circ} 45' 45''$ EAST, A DISTANCE OF 570.53 FEET; THENCE SOUTH $71^{\circ} 48' 38''$ EAST, A DISTANCE OF 354.45 FEET; THENCE NORTH $36^{\circ} 21' 17''$ EAST, A DISTANCE OF 229.11 FEET TO A POINT ON A CURVE; RUN THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE WESTERLY AND HAVING A RADIUS OF 787.00 FEET, AN ARC DISTANCE OF 714.25 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $26^{\circ} 38' 09''$ EAST, 689.99 FEET; THENCE SOUTH $00^{\circ} 38' 11''$ EAST, A DISTANCE OF 206.12 FEET; THENCE NORTH $86^{\circ} 23' 34''$ EAST, A DISTANCE OF 16.22 FEET; THENCE SOUTH $01^{\circ} 20' 10''$ EAST, A DISTANCE OF 191.16 FEET; THENCE SOUTH $89^{\circ} 45' 45''$ EAST, A DISTANCE OF 151.69 FEET; THENCE NORTH $40^{\circ} 20' 18''$ EAST, A DISTANCE OF 140.45 FEET; THENCE NORTH $88^{\circ} 52' 24''$ EAST, A DISTANCE OF 158.89 FEET; THENCE SOUTH $01^{\circ} 00' 28''$ EAST, A DISTANCE OF 1,519.13 FEET; THENCE SOUTH $87^{\circ} 24' 32''$ WEST, A DISTANCE OF 1,265.96 FEET; THENCE SOUTH $01^{\circ} 37' 30''$ EAST, A DISTANCE OF 821.95 FEET; THENCE SOUTH $01^{\circ} 46' 12''$ EAST, A DISTANCE OF 841.35 FEET; THENCE SOUTH $88^{\circ} 13' 48''$ WEST, A DISTANCE OF 50.00 FEET TO A POINT ON THE EASTERLY LINE OF LANDS FORMERLY OWNED BY THOMAS SCAFF; THENCE NORTH $01^{\circ} 46' 12''$ WEST, ALONG LAST SAID EASTERLY LINE, A DISTANCE OF 841.41 FEET TO THE NORTHEAST CORNER OF SAID LANDS, (THE SAME BEING THE SOUTHEAST CORNER OF LANDS FORMERLY OWNED BY TRUMAN PACETTI); THENCE NORTH $01^{\circ} 37' 30''$ WEST ALONG THE EASTERLY LINE OF SAID LAND, A DISTANCE OF 833.91 FEET TO THE NORTHEAST CORNER OF SAID LANDS, (THE SAME BEING THE SOUTHEAST CORNER OF LANDS FORMERLY OWNED BY EVERETT PACETTI); THENCE NORTH $02^{\circ} 30' 21''$ WEST, A DISTANCE OF 1,316.12 FEET TO THE NORTHEAST CORNER OF LAST SAID LANDS; THENCE SOUTH $89^{\circ} 58' 14''$ WEST, ALONG THE PREVIOUSLY MENTIONED SOUTHERLY LINE OF OFFICIAL RECORDS BOOK 1145, PAGE 1170 (ALSO BEING THE NORTHERLY LINE OF LANDS FORMERLY OWNED BY EVERETT PACETTI), A DISTANCE OF 1,421.50 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAIN 88.09 ACRES MORE OR LESS.

Exhibit B – Access Easement

**TEMPORARY ACCESS EASEMENT THROUGH
SAMARA LAKES PHASE THREE**

A PART OF THE PACETTI DONATION, SECTION 37, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF LOT 9, AS SHOWN ON THE PLAT OF SAMARA LAKES UNIT ONE AS RECORDED IN MAP BOOK 53, PAGES 37 THROUGH 45 OF THE PUBLIC RECORDS OF SAID COUNTY AND RUN SOUTH $00^{\circ} 14' 15''$ WEST, ALONG THE EASTERLY LINE OF SAID LOT 9, TO AND ALONG THE EASTERLY LINE OF LOTS 10 THROUGH 20 SAID SAMARA LAKES UNIT ONE, A DISTANCE OF 764.59 FEET; THENCE SOUTH $38^{\circ} 53' 02''$ WEST, CONTINUING ALONG SAID EASTERLY LINE OF LOT 20, TO AND ALONG THE EASTERLY LINE OF TRACT "F", SAID SAMARA LAKES UNIT ONE, A DISTANCE OF 51.68 FEET TO THE SOUTHEASTERLY CORNER OF SAID TRACT "F"; THENCE SOUTH $01^{\circ} 39' 57''$ EAST, ALONG A WESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS OF SAID COUNTY IN BOOK 1145, PAGE 1170, A DISTANCE OF 418.24 FEET; THENCE NORTH $89^{\circ} 58' 14''$ EAST, ALONG A SOUTHERLY LINE OF LAST MENTIONED DEED (ALSO BEING THE NORTHERLY LINE OF LANDS FORMERLY OWNED BY EVERETT PACETTI), A DISTANCE OF 448.67 FEET; THENCE NORTH $00^{\circ} 01' 47''$ WEST, A DISTANCE OF 285.75 FEET; THENCE SOUTH $89^{\circ} 58' 14''$ EAST, A DISTANCE OF 693.26 FEET; THENCE NORTH $18^{\circ} 12' 11''$ EAST, A DISTANCE OF 67.78 FEET; THENCE NORTH $25^{\circ} 55' 56''$ WEST, A DISTANCE OF 455.27 FEET; THENCE NORTH $55^{\circ} 42' 08''$ EAST, A DISTANCE OF 271.05 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE NORTH $55^{\circ} 42' 08''$ EAST, A DISTANCE OF 80.77 FEET; THENCE SOUTH $26^{\circ} 23' 17''$ EAST, A DISTANCE OF 385.62 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 750.00 FEET, AN ARC DISTANCE OF 322.29 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC SUBTENDED BY A CHORD OF SOUTH $38^{\circ} 41' 55''$ EAST, 319.82 FEET; THENCE SOUTH $51^{\circ} 00' 33''$ EAST, A DISTANCE OF 385.83 FEET; THENCE NORTH $49^{\circ} 41' 12''$ EAST, A DISTANCE OF 104.47 FEET; TO A POINT OF CURVATURE; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 160.00 FEET, AN ARC DISTANCE OF 113.24 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC SUBTENDED BY A CHORD OF NORTH $69^{\circ} 57' 44''$ EAST, 110.89 FEET; THENCE SOUTH $89^{\circ} 45' 45''$ EAST, A DISTANCE OF 702.64 FEET; THENCE SOUTH $01^{\circ} 20' 10''$ EAST, A DISTANCE OF 60.02 FEET; THENCE NORTH $89^{\circ} 45' 45''$ WEST, A DISTANCE OF 704.29 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 100.00 FEET; AN ARC DISTANCE OF 70.77 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC SUBTENDED BY A CHORD OF SOUTH $69^{\circ} 57' 44''$ WEST, 69.31 FEET; THENCE SOUTH $49^{\circ} 41' 12''$ WEST, A DISTANCE OF 93.13 FEET; THENCE SOUTH $51^{\circ} 00' 33''$ EAST, A DISTANCE OF 18.23 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 280.00 FEET, AN ARC DISTANCE OF 237.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC SUBTENDED BY A CHORD OF SOUTH $26^{\circ} 45' 27''$ EAST, 230.02 FEET; THENCE SOUTH $02^{\circ} 30' 21''$ EAST, A DISTANCE OF 971.90 FEET TO A POINT OF CURVATURE;

EXHIBIT D

SAMARA LAKES PUD

MASTER DEVELOPMENT PLAN TEXT

This Master Development Plan Text is part of an application for rezoning to Planned Unit Development ("PUD") as required by the St. Johns County Land Development Code, Section 5.03.02.G.1. The application is filed on behalf of **Standard Pacific of Florida, a Florida general partnership** (the Applicant and owner) and owners, **MALTBY PROPERTIES, INC.**, John F. Maltby Revocable Living Trust and Kathryn K Maltby Revocable Living Trust Daniel F. Maltby and Lee A. Maltby, and **SAMARA LAKES, LLC (f/k/a STOKES & COMPANY)**("Owners").

- A. The SAMARA LAKES PUD proposed by this Development Plan is adjacent to several significant developments in the northwest portion of St. Johns County. This development will fill housing demand in this portion of the county where the urban infrastructure is already in place. The project will be accessed by connection to Pacetti Road. The project will therefore not contribute to urban sprawl. The project is located adjacent to the Meadows, The King & the Bear, Palm Lakes and several other single family residential developments.
- B. The total number of acres within the project as requested in the application is approximately 310.6 ± acres.
- C. There are approximately 19.5 acres of wetlands which will remain within the project at buildout.
- D. Residential development (including Lots and right-of-ways) will encompass approximately 210 acres as shown on the Master Development Plan. Buffers consist of a minimum of 6.6% of the entire site. Open space is provided within the drainage and utility easement areas, buffers and retention ponds. Total open space includes a minimum of 95 acres.
- E. Residential development shall be limited to 872 residential units (as shown on the Master Development Plan Map). 145 Lots will be affordable as defined by the St. Johns County Land Development Code. The affordable housing units may be located anywhere within the project.

A minimum 145 units shall be affordable to at least moderate income buyers (except that a minimum of 20% of the "bonus" units shall be designated for low income households). As of August 2010 the minimum number affordable Lots and homes sold, including those designated for low income households, have been met for this project. All of the required affordable units have been built and sold at the time of this modification. Two Hundred Forty Three (243) affordable units have actually been sold. The project shall not be required to produce any additional affordable Lots or homes. Assurances of affordability shall be provided for a period of 5(five) years, utilizing a Land Use Restriction Agreement (LURA) acceptable to the County recorded by the seller.

The Applicant shall work with County Staff, the Utility Department and the SHIP program to provide deferred utility connection fees for designated affordable units.

The Applicant shall also work with County Staff to obtain deferred or partial payment of impact fees on the designated affordable units.

The project shall be eligible for any other incentives permitted by the St. Johns County Land Development Code and Development Review Manual and other assistance available under the Affordable Housing Economic Incentive Ordinance 2005-101.

The sales price of the designated affordable houses shall not exceed the maximum adopted by the St. Johns County SHIP Home Buyers Program, as revised. .

The project utilizes the affordable housing density bonus to achieve the projected density. The overall density of the project is 2.8 units per acre based upon 872 residential units on a total of 310.6 acres. The base density for the project is 582 units based on 2 units per upland acre ($2 \times 291 \text{ ac} = 582$). A minimum of 145 affordable housing units is required by this PUD (243 have actually been built), thereby resulting in an additional affordable density bonus of 290 units ($145 \text{ affordable} \times 2 = 290 \text{ units}$). The overall number of units shall not exceed 872 units ($582 \text{ base} + 290 \text{ affordable bonus} = 872$). The projected population within the project is 2,128 persons based upon 2.44 persons per household, the County concurrency standard. The estimated number of school age children within the project is 620.

- F. There is no non-residential development within this PUD.
- G. The residential areas may be developed with detached single family homes (including zero lot setbacks) and attached townhomes. The minimum lot width for detached single family homes shall be 43 ft. and minimum lot size shall be 4,500 sq. ft.

Single Family Setbacks

The following setback requirements shall apply to each single family residence. The front setback shall be 25' for front entry garages. The rear setback shall be 10'. The side setback shall be 7.5 measured as specified in the Land Development Code. Corner lots shall be considered to have two front yards and 2 side yards with no rear yard. The primary front yard, where the driveway intersects the road, shall comply with the front yard setback stated above and the other front yard shall have a minimum 15 ft. setback. The minimum distance between buildings (eave to eave) shall be 10 ft. Maximum lot coverage by buildings shall be 40%. Maximum building height for all structures shall be 35 ft. No air conditioning or electrical equipment, masonry walls or masonry fences, pools, pool decks or pool enclosures to be permitted within drainage or underground utility easements. All setbacks shall be measured from the furthest architectural feature 30" or more off grade.

Zero Lot Line Setbacks

Zero lot line lot development criteria shall be as provided in Section 6.01.04 of the St. Johns County LDC, except that the minimum lot area for zero lot line is 4,500 square feet.

Townhome Setbacks

Attached Townhome Lot development criteria shall be the same as zero lot line lots, except that no building separation or side setbacks shall be required where units are attached.

Accessory Uses

Accessory structures for all lot types shall be permitted in rear yards (or side yards of corner lots) so long as they are set back 5 ft. from the property line. Covered pools and covered patios may intrude up to 5 ft. into the required rear yard setback. Notwithstanding this provision, no accessory uses including covered pools and patios may intrude into the Development or Scenic Edges shown on the MDP. Parking for two vehicles per lot shall be provided either within the driveways (outside of the adjacent right-of-way) or within a garage for each residential unit. No air conditioning or electrical equipment, masonry walls or masonry fences, pools, pool decks or pool enclosures to be permitted within drainage or underground utility easements.

Recreation

A minimum 15 acres of recreation will be provided. The approximate 4.45 and

1.54 acre parks will be constructed by Developer as a part of Phase I and shall include, but is not limited to children's play areas. The 4.45 and 1.54 acre parks shall be maintained by the Property Owners' Association. The 10 acre ballfields park will be constructed as a part of Phase 2 and shall include, but is not limited to multi-use ballfields and a children's play area. It is intended that the 10 acre park may be dedicated by Developer to St. Johns County for public use after construction of the park improvements is complete. The park improvements shall be constructed by the Developer. If the park dedication to the county is accepted, the County shall thereafter be responsible for maintenance of this park. Otherwise, the Developer shall maintain the park until it is turned over to the responsible homeowners' association.

Buffers

A minimum 35 ft. Development Edge shall be provided along side and rear boundary lines of the PUD. A minimum 75' Scenic Edge shall be provided along Pacetti Road, east of the 25' reserved right-of-way.

Signs

Project identification signs shall be permitted near the main residential entrance to the project on Pacetti Road as shown on the Master Development Plan Map as well as the entrances to individual subdivisions within the project. All signs shall be located outside of the road right-of-way. Permitted project signage may be located on an entry wall, or freestanding monument signs. The signs may be either two single faced signs flanking each entrance or one double faced sign in either location. The sign shall not exceed 6 ft. in height. Regardless of the type of entry sign, the face area shall not exceed 32 sq. ft. of advertising area. Additional internal parcel identification signs shall be permitted as shown on the MDP. The Internal parcel identification signs shall be a single or double faced monument sign not exceeding 4' in height and 12 sq. ft. of advertising display area, and shall be located in a separate tract.

Model Homes

Model Homes may be provided consistent with the terms of the Land Development Code.

- H. All roads, streets, parking (turn lanes if required in accordance with Land Development Code) and drainage areas shall conform to the design standards specified in the St. Johns County Land Development Code. The internal roadways may be dedicated to the County, subject to acceptance by the Board of County Commissioners.

The Master Development Plan Map depicts a preliminary vehicular circulation

system that shows all proposed points of connection with public rights-of-way. Internal roads may be dedicated to St. Johns County, subject to acceptance by the St. Johns County Board of County Commissioners. A 6' wide sidewalk shall be provided along Pacetti Road in front of the PUD property. Five foot (5') wide sidewalks shall be provided on both sides of the main internal collector road. From the point where the Samara Lakes Parkway intersects with Nochaway Drive, the Parkway shall be a 60' right-of-way with a 5' sidewalk on one side of the road. A 4' sidewalk shall be provided on one side of other internal roads except cul de sacs with less than 15 Lots where no sidewalk is required. The sidewalk along Pacetti Road shall be constructed as a part of Phase 2 construction. Internal sidewalk construction shall correspond with adjacent road construction, except that sidewalks in front of homes may be installed as a condition of issuance of a certificate of occupancy. The exact location and configuration of the internal roads shall be depicted on construction plans submitted for approval. Interconnectivity to the East is not feasible as this area is under a conservation easement. Interconnectivity to the South and West is not feasible as this area is developed with rural single family homes with no area for connection. A bicycle and pedestrian connection shall be made to the North consistent with the adjacent development and as shown on the MDP. Part of the North boundary is also an existing single family home. Twenty five (25) ft. along the East side of Pacetti Road within the project shall be reserved for future right-of-way. The reserved right-of-way may be deeded to St. Johns County at which time the applicant will request transportation impact fee credits in accordance with Ordinance 87-57 as amended. The value of the deeded right-of-way shall be determined by a qualified appraiser or as contained in the official records of the St. Johns County Property Appraiser's Office. All common areas including roads (unless dedicated to the County) shall be maintained by one or more responsible Property Owners' Associations for this project.

Water and sewer facilities shall be provided by St. Johns County, including fire protection. Fire protection shall be in compliance with the St. Johns County Land Development Code. Solid waste collection shall be provided by the County-contracted waste collection company.

- I. Based upon an estimated use of 350 gallons per day per residence, water and sewer use for 872 residential units results in an estimated 305,200 gallons per day for water and an estimated 305,200 gallons per day for sewer.
- J. The soil survey for St. Johns County Florida identifies 4 types of soil on the site: Pomona fine sand, Riviera fine sand, placid fine sand and Bakersville muck.
- K. The site vegetation includes: planted sod, potatoes and mixed hardwoods and pines.
- L. There are no Significant Natural Communities Habitats or listed species (as

defined by the St. Johns County Land Development Code) within this project.

M. There are no known or observed Historic Resources (as defined by the St. Johns County Land Development Code) within this project.

N. Scenic and Development Edges are addressed in Paragraph G above. Major collector screening on Pacetti Road shall be provided adjacent to Pacetti Road, consistent with Section 6.06.04.B.6 of the Land Development Code. A 25' Natural Vegetative Upland Buffer plus a 25' Building Setback shall be maintained between developed areas and contiguous wetlands. This buffer is to be measured landward from the State jurisdictional wetland line, and is to remain in a natural undisturbed, vegetative state. Removal or alteration of native vegetation and soils within the upland buffer is prohibited.

Upland Buffers and Building Setback associated with wetlands shall be depicted on all construction plans and shall be recorded on the plat.

O. This PUD is not located in an Overlay District as defined by Article III of the St. Johns County Land Development Code. The PUD is within the Northwest Section Plan Area.

P. Development of this site and construction of the improvements may require temporary uses such as construction trailers, sales offices, temporary signage and temporary access. Temporary sales and construction trailers and other temporary improvements shall be removed from a lot or parcel prior to the permanent improvements of such parcel or lot receive a certificate of occupancy from the County. Temporary construction trailers will be shown on engineering and construction plans.

Q. The accessory uses are addressed in subparagraph G above.

R. The development will be built in 2 five year phases. Phase I of the development shall commence within 3 years of the date of approval of this PUD. Commencement is defined as the approval of engineering plans by St. Johns County. The development shall be completed within 10 years after commencement. Completion of development shall be defined as County approval of the as-built plans.

The projected development of each Phase shall be as follows:

Projected Phasing Schedule

Phase 1	2003-2008 (projected)
Parcel A	210 units
Parcel B	194 units

Parcel C 266 units
4.45 ac. Park and
1.54 ac. Park

Phase 2 2009-2014 (projected)
Parcel D 175 units
Parcel E 27 units
10 ac. Park

Notwithstanding the projected phasing schedule, future phases (or portion thereof) may be combined with current phases so long as a phase is 50% complete before moving to the next phase. Notwithstanding the projected phasing schedule, all development will be completed, as defined above within 10 years of commencement.

- S. The project will provide on-site stormwater drainage facilities. The Applicant may use soil removed from the Fox Creek Regional Stormwater Pond located off Holmes Boulevard on County Property as fill on the PUD property. The Developer shall be responsible for digging and transporting the fill to the PUD property. St. Johns County has capacity and will provide all of the water and sewer facilities for the project through existing facilities. The project will therefore have minimal impact on the facilities and infrastructure of St. Johns County. The project is located within an area designated for residential development in the St. Johns County Comprehensive Plan. The project is also located within an area which is experiencing strong demand for housing in this part of St. Johns County. The project will therefore meet the demand for housing by residents of St. Johns County. The existing zoning district would not permit the property to meet the housing demand. The PUD zoning, rather than conventional residential zoning, allows the Owner and the County greater control over development within this project and permits some of the lots to be sold as affordable.
- T. The project requests the following waivers:
- 1) Waiver of Section 6.01.04 of the St. Johns County Land Development Code regarding minimum lot size of 5,000 sq. ft. This waiver is justified to provide for affordable zero lot line lots.
 - 2) Waiver of Section 6.01.03E.3 of the St. Johns County Land Development Code regarding reduction of the second front yard on corner lots by 20%. Second front yards on corner lots may be reduced by 40%. This waiver is justified to provide developable lots while maintaining their affordability.
 - 3) Waiver of Section 5.07.03.C of the St. Johns County Land

Development Code requiring assurances of affordability for 10 years. Assurances of affordability shall be provided for the lesser of 5 years or as otherwise provided in the Land Development Code. This waiver is justified by current market conditions and because this PUD (under the current Land Development Code provisions) has already exceeded the minimum number of affordable units required to obtain the density bonus being used.

- 4) Waiver of Section 5.03.031.B.b of the St. Johns County Land Development Code requiring 7.5 side yard setbacks for all residential lots in a PUD. The setback shall be as provided in Paragraph G above. This waiver is justified to provide a lot size mix including zero lot line, townhomes, and affordable lots.

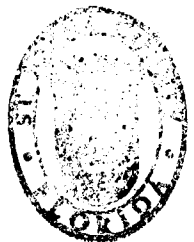
- U. All successors in title to the Property shall be bound to the conditions of the approved PUD.

- V. Not Applicable.

- W. The project has complied with the Comprehensive Plan Policy A.2.1.7. Community Planning Public Participation.

I HEREBY CERTIFY THAT THIS DOCUMENT
IS A TRUE AND CORRECT COPY AS SHOWN
ON RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND AND OFFICIAL SEAL
THIS 28th DAY OF January 20 11
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners

BY: LWenne King D.C.



JAN 3 2011

SJC DEVELOPMENT REVIEW
ATTN: RACHEL GARVEY
4040 LEWIS SPEEDWAY
SAINT AUGUSTINE FL 32084

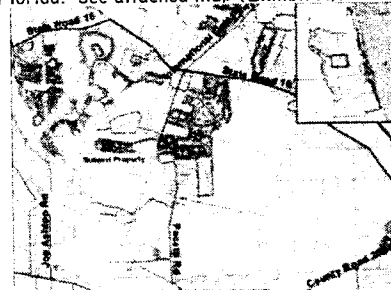
ST. JOHNS COUNTY
GROWTH MANAGEMENT

NOTICE OF A PROPOSED MAJOR
MODIFICATION

NOTICE IS HEREBY GIVEN that a public hearing will be held on **Tuesday, January 18, 2011** at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida, to issue a decision on a Major Modification to the Samara Lakes PUD to revise conditions regarding affordable housing.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A MAJOR MODIFICATION TO THE SAMARA LAKES PLANNED UNIT DEVELOPMENT, ORDINANCE NUMBER 2003-62, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The subject property is located East of Pacetti Road, South of State Road 16, within St. Johns County, Florida. See attached map (Exhibit A). This file



and the proposed ordinance are maintained in the Planning & Zoning Section of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, and may be inspected by interested parties prior to said public hearing.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she 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.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning & Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

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, 500 Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, call Florida Relay Service (1 800 955 8770), no later than 5 days prior to the meeting.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
J. KEN BRYAN, CHAIR
FILE NUMBER: MAJMOD 2010-07
SAMARA LAKES PUD
L026-11 Jan 3, 2011

Ref.#: L026-11
P.O.#:

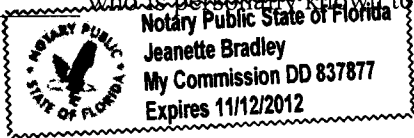
PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **BRI HALL** who on oath says that he/she is an Employee 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 HEARING** In the matter of **MAJMOD 2010-07 - HEARING JAN.3,2011** was published in said newspaper on **01/03/2011**

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 has 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/she 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 03 day of Jan 2010 by Bri Hall who is personally known to me or who has produced as identification



Jeanette Bradley

(Signature of Notary Public)

(Seal)



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

January 24, 2011

Ms. Cheryl Strickland
Secretary
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated January 21, 2011 and certified copies of Ordinance No. 2011-2 through 2011-4, which were filed in this office on January 24, 2011.

Sincerely,

Liz Cloud
Program Administrator

LC/srd

2011 JAN 27 PM 4: 32
OFFICE OF THE SECRETARY OF STATE
FLORIDA

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
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