

ORDINANCE NUMBER: 2016- 47

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD), 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 March 1, 2016 in addition to supporting documents and statements from the applicant which are a part of Planning and Zoning File **PUD 2016-05 The Enclave at World Golf**, 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. Upon consideration of the application, supporting documents, statements from the applicant, correspondence received by the Growth Management Department, recommendation of the Planning and Zoning Agency, and comments from the staff and the general public at the public hearing, the Board of County Commissioners, finds as follows:

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 2025 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 Residential-B.
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 is consistent with the St. Johns County Comprehensive Plan specifically Policy A.1.3.11 as it relates to compatibility of the project to the surrounding area.
6. 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.
7. 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, 5.03.02.G.2, and 5.03.02.F of the Land Development Code.
8. The PUD would not adversely affect the orderly development of St. Johns County.

9. The PUD as proposed is consistent with Objective A.1.11 of the St. Johns County Comprehensive Plan as it relates to an efficient compact land use pattern.

SECTION 2. Pursuant to this application File Number **PUD 2016-05 The Enclave at World Golf**, the zoning classification of the lands described within the legal description, Exhibit "A"

is hereby changed to PUD.

SECTION 3. The development of lands within the PUD shall proceed in accordance with the Master Development Plan Text, Exhibit "B", and the Master Development Plan Map, Exhibit "C."

SECTION 4. 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. Notwithstanding any provision of this ordinance, no portion of any use restriction, title conditions, restrictions, or covenants shall be deemed waived or varied by any provision herein.

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.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 20th **DAY OF** September **2016.**

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

BY: Jeb S. Smith
JEB S. SMITH, Chair

RENDITION DATE Sept. 22, 2016

ATTEST: HUNTER S. CONRAD, CLERK

BY: Hunter S. Conrad
Deputy Clerk

EFFECTIVE DATE: Sept. 23, 2016



EXHIBIT "A"

THE ENCLAVE AT WORLD GOLF PUD

LEGAL DESCRIPTION

PARCEL "A" (BY SURVEYOR)

A PARCEL OF LAND LYING IN SUBSECTION (OR TRACT) 15 OF SECTION 38 (THE ANTONIO HUERTAS GRANT), TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF STATE ROAD No. 16, (A 200 FOOT RIGHT OF WAY) WITH THE FORMER EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD No. 13-A, (A 100 FOOT RIGHT OF WAY); THENCE SOUTH 19°30'15" WEST, ALONG THE FORMER EASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD No. 13-A, A DISTANCE OF 5092.02 FEET; THENCE SOUTH 71°41'07" EAST, A DISTANCE OF 25.01 FEET TO THE CURRENT EASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD No. 13-A, SAID POINT BEING THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1979, PAGE 1792, SAID ST. JOHNS COUNTY AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 71°41'07" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 605.98 FEET; THENCE SOUTH 19°30'15" WEST, A DISTANCE OF 292.53 FEET TO THE NORTHEASTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1717, PAGE 1027, SAID ST. JOHNS COUNTY; THENCE NORTH 81°08'14" WEST ALONG THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1717, PAGE 1027, A DISTANCE OF 616.45 FEET TO EASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD No. 13-A; THENCE NORTH 19°30'15" EAST, ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD No. 13-A, A DISTANCE OF 397.79 FEET TO THE POINT OF BEGINNING.

Together with

PARCEL "B" (BY SURVEYOR)

A PARCEL OF LAND LYING IN SUBSECTION (OR TRACT) 15 OF SECTION 38 (THE ANTONIO HUERTAS GRANT), TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF STATE ROAD No. 16, (A 200 FOOT RIGHT OF WAY) WITH THE FORMER EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD No. 13-A, (A 100 FOOT RIGHT OF WAY); THENCE SOUTH 19°30'15" WEST, ALONG THE FORMER EASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD No. 13-A, A DISTANCE OF 5092.02 FEET; THENCE SOUTH 71°41'07" EAST, A DISTANCE OF 25.01 FEET TO THE CURRENT EASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD No. 13-A, SAID POINT BEING THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1979, PAGE 1792, SAID ST. JOHNS COUNTY; THENCE CONTINUE SOUTH 71°41'07" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 605.98 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 68°34'44" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 1568.80 FEET TO THE WESTERLY LINE OF SAMARA LAKES, PARCEL "B", PHASE ONE AS RECORDED IN MAP BOOK 57, PAGES 8 THROUGH 14, SAID ST. JOHNS COUNTY; THENCE SOUTH 08°02'38" WEST ALONG THE WESTERLY LINE OF SAID SAMARA LAKES, A DISTANCE OF 89.00 FEET; THENCE SOUTH 26°33'54" WEST, A DISTANCE OF 136.98 FEET TO THE NORTHERLY LINE OF SAMARA LAKES UNIT ONE AS RECORDED IN MAP BOOK 53, PAGES 37 THROUGH 45, SAID ST. JOHNS COUNTY; THENCE SOUTH 80°54'35" WEST, A DISTANCE OF 50.64 FEET; THENCE NORTH 83°26'54" WEST, A DISTANCE OF 508.32 FEET; THENCE NORTH 77°37'09" WEST, A DISTANCE OF 41.98 FEET; THENCE NORTH 59°02'10" WEST, A DISTANCE OF 46.65 FEET; THENCE NORTH N51° 09'53" W, A DISTANCE OF 204.12 FEET; THENCE NORTH 56°18'36" WEST, A DISTANCE OF 36.06 FEET; THENCE NORTH 88°43'37" WEST, A DISTANCE OF 45.01 FEET; THENCE SOUTH 89°57'30" WEST, A DISTANCE OF 712.27 FEET TO THE SOUTHWESTERLY CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1717, PAGE 1029, SAID ST. JOHNS COUNTY; THENCE NORTH 19°30'15" EAST ALONG THE EASTERLY LINE OF THOSE LANDS DESCRIBED ON OFFICIAL RECORDS BOOK 1717, PAGES 1029, PAGE 1031, PAGE 1027 AND OFFICIAL RECORDS BOOK 1654, PAGE 1594, SAID ST. JOHNS COUNTY, A DISTANCE OF 585.72 FEET TO THE POINT OF BEGINNING

Exhibit "B"

MASTER DEVELOPMENT PLAN TEXT

A. A description related to the design, character and architectural style or theme of the Project, which demonstrates an innovative, unified, cohesive and compatible plan of development for all Uses included in the Project. Mixed Use PUDs that contain different Uses or several Development Parcels must also demonstrate consistency in design and character and plan of development.

"The Enclave at World Golf PUD" is designed as a single-family residential Planned Unit Development ("PUD") to be developed on approximately 18.5 acres of land located at 3740 Pacetti Road. The PUD shall be comprised of 21 single-family residences, associated recreational amenities and other common areas. It is anticipated that the design, character and architectural style of the development will result in a unified, cohesive and compatible plan of development in that it will provide an environment of stable character, designed to be compatible with the surrounding residential areas, both existing and planned, and maintain a character of development that provides live/work opportunities and compliments the planned commercial and business uses in the area. By application of the Land Development Code ("LDC") provisions for Planned Developments, which permit a creative approach to the development of the land, the Applicant seeks to accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of the LDC, as it may be amended from time to time.

It is the Applicant's intent to implement Low Impact Development principles, where feasible, that may include lowering irrigation usage, using reclaimed holding ponds for irrigation water, reducing the size of stormwater management systems, proposing native plant material for planting areas, reducing cleared and filled areas and leaving existing vegetated areas undisturbed, and potentially using bio-retention areas and swales to reduce stormwater sheet flows. The specific

Low Impact Development Principles implemented will be determined in the Applicant's discretion at the time of construction plan approval.

B. The total number of acres included within the Project as requested in the application.

Approximately 18.50 acres.

C. The total number of Wetland acres included within the Project as requested in the application.

The total number of wetland acres present on the site is approximately 8.69 acres.

D. The total amount of Development area, including the total number of developable acres (including filled Wetlands) for each proposed land Use and the total number of Wetland acres to be preserved for each land Use. Each developable Parcel shall be limited to one Use Classification, as provided in Article II of the Land Development Code.

The residential area proposed for development is comprised of approximately 18.5 acres with 11.11 acres of development area, 13.1 acres of open space, including 7.40 acres of preserved wetlands.

E. The total number of residential Dwelling Units and density of the Project, proposed density bonuses, the projected population, and projected population of school age children that may reside within the Project.

Twenty-one (21) units located on approximately 11.11 upland acres yields a net density of 1.9 units per acre (21/11.1 acres of residential uplands = 1.9 units per net residential acre). The projected population is approximately 51 residents (21 units x 2.44 residents per unit = 51.24) and the projected population of school-age children that may reside within the PUD is 13 students (21 units x .61 students = 12.81), with 6 elementary students (13 x .45 = 5.85), 3 middle school students (13 x .24 = 3.12) and 4 high school students (14 x .31 = 4.34).

F. The total square footage and intensity of non-residential Development.

Not Applicable.

G. The residential and non-residential Structure setbacks, as measured from the property line, the minimum size of residential Lots, the number of parking spaces for residential and non-residential Uses, the use of Signs and signage to serve the Project, including the sign height, size

and type, such as wall, ground or monument, pylon, etc., street lights or other required outdoor lighting within the Project, and the maximum height of all Structures.

Development of the PUD will adhere to the following site development criteria:

1. **Single-family Residential Design Criteria:**

a. All single-family residential structures shall be set back twenty feet (20') from the front property line. The minimum lot width shall be sixty-three feet (63'). The width of a Lot shall be measured at the most direct angle across the front of the required minimum Front Yard setback line. Provided, however, the width between the side Lots at the foremost points where they intersect with the Street Line shall not be less than eighty percent (80%) of the required Lot width, except when a Lot fronts on a cul-de-sac or curve, the Lot width shall be a minimum of twenty-five feet (25'). Each lot shall have a minimum side yard of five feet (5') with no permitted projections and a minimum rear yard of ten feet (10'). Setbacks shall be measured according to the LDC, as it may be amended from time to time. Each lot shall have two (2) parking spaces. No lots are located within fifty feet (50') of a Major Collector.

b. Exterior air conditioning units and related heating/cooling units may be located adjacent to or at the rear of the structures served, no less than five (5) feet from the parcel property line. No air conditioning or electrical equipment, no swimming pools, swimming pool decks or swimming pool enclosures, nor masonry walls shall be located within drainage or underground utility easements.

c. All lighting will be consistent with LDC Section 5.03.06.H.6 and 6.09.00 as required.

d. The lot sizes for these single-family detached home sites may vary from sixty-three feet (63') to seventy-five feet (75'), and will be a minimum of Seven Thousand Five Hundred square feet (7,500 sq.ft.) The general location and configuration of residential lots, as

well as the size and shape of individual lots, are indicated on the MDP Map, **Exhibit "C"** and may differ somewhat due to actual development constraints. As provided in Policy A.1.11.3, Note 6, the maximum lot coverage of all buildings on the overall development parcel shall not exceed twenty-five percent (25%). Individual lot coverage shall not exceed sixty percent (60%) for buildings. The maximum impervious surface ratio by lot shall not exceed seventy percent (70%).

2. Signage:

a. Signage will be consistent with LDC Section 5.03.00 and 7.00.00 as required.

3. Height:

a. Structures shall not exceed thirty-five (35) feet in height.

H. The type and location of infrastructure needed to serve the Project, including at a minimum, drainage facilities, vehicle and pedestrian access to the Project, internal vehicle and pedestrian access within the Project, interconnectivity access points to adjacent properties, potential new or expanded thoroughfare or right-of-way location, park, open space and recreation facilities, types of active recreation that will be provided, the provision of water and sewer, fire protection, and solid waste collection. Additional infrastructure requirements may be addressed based upon the character or location of the Project.

The infrastructure needed to serve the PUD will consist of roads, drainage facilities, water and sewer, fire protection and solid waste collection as follows:

1. **Vehicular Access:** As depicted on the MDP Map, **Exhibit "C,"** there will be one entrance/exit roadway into 3740 Pacetti Road. Site access improvements will be provided as required by the LDC. The roadway shall be constructed in accordance with all St. Johns County Development Services regulations and permits and will comply with the LDC. The Applicant is

setting aside a twelve and one-half foot (12 1/2') strip of land adjacent to Pacetti Road for additional right-of-way.

2. **Internal Access:** The internal access road may be public and may be dedicated to St. Johns County (acceptance of which is at the sole discretion of the St. Johns County Board of County Commissioners) and shall meet the standards of the LDC at the time of permitting. If road remains private, it shall be maintained by the developer until conveyed to the Homeowner's Association at which time maintenance shall become the responsibility of the Homeowner's Association. Access will be provided for any County-owned utilities. The Applicant has not identified any feasible vehicular connections to adjacent properties; however, the proximity to Pacetti Road provides a strong opportunity for pedestrian and bicycle access for members of this community.

3. **Pedestrian access:** Four foot (4') sidewalks shall be provided within the PUD, and a five foot (5') sidewalk already exists along the frontage of the development at Pacetti Road as depicted on the MDP Map, Exhibit "C." All pedestrian accessible routes shall meet the requirements of the Florida Accessibility Code for Building Construction (FACBC) and Americans with Disability Act Accessibility Guidelines (ADAAG) established by Florida law and 28 CFR Part 36. In the event any future internal pedestrian interconnectivity becomes possible, the project is designed to accommodate that interconnectivity.

4. **Recreation:** The Development will contain no less than a minimum of 1.15 acres of active recreation for the residents and their guests of this single-family development, as depicted on the MDP Map, Exhibit "C." Recreational facilities may include multi-purpose fields, tot lots and jogging/walking trails that will provide both active and passive recreational opportunities for all age ranges within the community. Pursuant to LDC Section 5.03.03.E.2, the design population of

51 residents yields a required active recreation area of approximately .26 acres (5 acres per 1,000 persons = $51/200 = .26$ acres). All the facilities and elements for each open space or recreational area shall meet the requirements of the Florida Accessibility Code for Building Construction (FACBC) and Americans Disability Act Accessibility Guidelines (ADAAG) established by Florida law and 28 CFR Part 36.

5. **Open Space:** Although only 4.63 acres is required for open space as required in Section 5.03.03.A.1 of the LDC, the Applicant will set-aside no less than 13.10 acres of open space (in excess of the required twenty-five percent (25%) for open space) as depicted on the MDP Map, Exhibit "C."

6. **Drainage:** Stormwater will be treated on site within the retention and detention areas. All drainage structures and facilities will be designed and constructed in compliance with the LDC in effect at the time of permitting, and the applicable rules of the St. Johns River Water Management District. Stormwater ponds greater than one half (1/2) acre can be utilized for irrigation and/or water reuse purposes per St. Johns River Water Management District rules and regulations. All necessary permits will be acquired and construction plans approved prior to the commencement of any construction. The Stormwater Management System will be maintained by a property owners association.

7. **Utilities:** All electrical, telephone and cable lines will be installed underground on the site. Water and sewer will be provided by St. Johns County. Electricity will be provided by Florida Power and Light. A Utility Availability Letter is attached hereto as **Attachment "1."**

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

9. **Fire Protection:** Fire Protection will be provided in accordance with Section 6.03.00 of the Land Development Code, as it may be amended from time to time. In the event the

Developer determines that the entrance road shall be private and maintained by the Homeowners Association, then sufficient access to fire hydrants shall be provided to fire services' access to the hydrant system.

I. The amount of water and sewer use, based upon the projected population, and the Public Utility Providers, if applicable.

The single-family residential dwelling units are anticipated to use 7,350 gallons per day of water (21 single-family units x 350 gallons per day) and 5,880 gallons per day of sewer (21 single-family units x 280 gallons per day). Irrigation will be consistent with the requirements of Section 6.06.02.D.3 of the LDC. The Applicant will install on-site reuse piping to enable a connection once reuse water becomes available through the extension of an existing 8-inch reuse main located at the intersection of Pacetti Road and Registry Blvd. All Utility construction projects are subject to the current construction standards within the Manual of Water, Wastewater, and Reuse Design Standards & Specifications at the time of review. Utility connection points shall be installed as listed in the availability letter or as directed otherwise by St. Johns County Utility Department to minimize impact to the existing infrastructure or to the existing level of service. Water and/or Sewer lines that are to be dedicated to St. Johns County for ownership that are not in the public right-of-way shall require an easement/restoration agreement. No improvements such as pavement, sidewalks, and/or concrete walks are to be placed on top of water and/or sewer pressurized mains unless otherwise approved by St. Johns County Utility Department. Landscaping trees and landscaping buffers shall be placed at a minimum of 7.5 feet away from the centerline of utility pipelines.

J. The type of underlying soils and its suitability for Development of the proposed Project.

Based on the soil survey of St. Johns County, Florida, the following soils are present on the Property: (63) Placid fine sand and (69) Bakersville muck. A copy of the Soils Map is attached with this Application as **Attachment "2."**

K. The type and extent of upland forest and wetlands on the site using the Level III classification of the Florida Land Use Cover and Classification System (FLUCCS). A map depicting the location of upland forest and Wetland vegetation shall be provided with the application submittal.

The property contains the following communities: Approximately 7.2 acres of (434) Hardwood-Conifer Mixed – This class is reserved for those forested areas in which neither upland conifers nor hardwoods achieve a 66 percent crown canopy dominance; approximately 18.50 acres of (260) Rural Structures – This category includes those agricultural lands whose intended usage cannot be determined and approximately 8.65 acres of (617) Wetland Forested Mixed – This category includes mixed wetland forest communities in which neither hardwoods or conifers achieve a 66 percent dominance of the crown canopy composition. A FLUCCS map is attached hereto as **Attachment "3."**

L. The type and extent of any Significant Natural Communities Habitat as defined by this Code. Listed Species information including locations, densities and extent of habitat.

There is no Significant Natural Communities Habitat on the proposed site and no listed species. See **Attachments "4" and "5."** Pursuant to Section 5.03.03.A.3 of the LDC, the Applicant is required to preserve 5% (.925 acres) of upland natural vegetation. Applicant has preserved 1.22 acres of upland natural vegetation as indicated on the MDP attached hereto as Exhibit "C."

M. Identification of known or observed Historic Resources as defined by this Code, including any sites listed within the State Division of Historical Resources Master Site File or the St. Johns County Historic Resources Inventory. In such cases, the requirements of Part 3.01.00 of this Code shall apply.

There are no Cultural Resources located on the proposed site. See **Attachment "6."**

N. The type and extent of buffering, landscaping, Tree removal and Tree protection, and buffering between adjacent Uses as needed to aesthetically screen uses and provide privacy.

The Applicant shall provide a ten-foot (10') landscape/natural buffer provided around the perimeter of the property in accordance with LDC, Section 5.03.03.A.4 and an averaged 35-foot (35') development edge as depicted on the MDP Map included with this Application as **Exhibit "C."** Where the development edge is reduced to 27 ft., the development edge shall meet the enhanced planting required by Section 6.06.02.H.1. All landscaping, tree removal and tree protection shall be in compliance with the LDC in effect at the time of construction plan submittal. Irrigation within the site development will comply with Section 6.06.02 D. 3. of the Land Development Code. Applicant additionally commits to provide approximately 1,500 lineal feet of 6-ft. high white vinyl fencing to provide additional buffering from the property to the north of the project.

The Applicant shall provide an averaged 75 ft. scenic edge, and a 35 ft. averaged development edge, as depicted on the MDP Map, **Exhibit "C."** A waiver request to average the development edge is included hereinbelow. All wetlands on site are isolated and there are no contiguous wetlands on the site.

O. PUDs located in Special Districts as defined by Article III of the Land Development Code shall include a statement identifying the particular Special District and referencing the requirements to comply with the provisions of such Special District.

The PUD is located within the Northwest Sector and all development shall comply with the regulations governing development in the Sector. Specifically, the Scenic and Development Edges will meet SJC Comprehensive Plan Northwest Sector Policies A.2.1.3 and A.2.1.4 requirements.

P. The use, location and duration of temporary uses, including Construction trailers, sales units, model homes, and temporary signage related to Construction of the Project.

Temporary signage shall be allowed within the PUD and shall comply with Section 7.03.00 of the Land Development Code, as it may be amended from time to time. Model homes may be constructed within the development, provided the number does not exceed ten (10) percent of the number of homes in the development area by phase. The model homes may be constructed during

construction of the infrastructure and may be used for sales, administration and construction offices, after receipt of a Certificate of Occupancy. The Applicant understands no Certificate of Occupancy will be issued until the infrastructure has received official approval from the St. Johns County Development Services Department and any State or Regional agencies and the subdivision plat has been recorded with St. Johns County.

Q. The use and location of Accessory Uses for residential and non-residential Structures, including Guest Houses, A/C units and related heating/cooling units, setbacks, swimming pools, fencing, and similar Uses.

Standard residential accessory uses will be allowed within the building areas of the site. Accessory uses and structures will be allowed as per the St. Johns County Land Development Code, as it may be amended from time to time, provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of structure.

R. A phasing schedule, which shall include the amount of residential and non-residential Development to be completed within a specified phase, a specific commencement term with a definition of commencement, and a specific completion term with a definition of completion. Phasing of the PUD may be obtained by either of the following two methods:

(1) the provision of an estimate of Uses to be developed within five (5) year phases. The estimated phases may overlap during construction; however, a phase shall be fifty percent (50%) complete, before the next phase may proceed; or

(2) the provision of number of residential units or non-residential square footage that comprise a phase and the provision of specific development conditions related to the specific phase (e.g. prior to the platting of one hundred (100) dwelling units, a park shall be provided.

The phasing schedule, using either option, shall also provide for a PUD Progress Report as required by Section 5.03.07.

An extension of the commencement or completion date of a PUD, of not more than one (1) year, may be approved by a Small Adjustment when the County Administrator has determined there are not significant changes to the surrounding area since the PUD was originally approved that would cause the PUD to negatively impact the surrounding area, and the Future Land Use Map designation of the subject PUD is the same as when the PUD was approved. If, in the determination of the County Administrator, either of these conditions are not met, or the extension of the commencement or completion date is for more than one (1) year, a Major Modification to the PUD shall be required, as provided in Section 5.03.05.C. An extension of

any phase of a PUD may also be approved by a Small Adjustment so long as the commencement or completion dates of the PUD are not extended beyond one (1) year.

The Enclave at World Golf PUD will be developed in one ten (10) year phase. Construction will be commenced within three (3) years of the County's approval of the PUD, upon approval of the construction plans and extending through build-out of the PUD. Commencement of construction shall be deemed to have occurred upon approval of the final construction plans for horizontal improvements. Completion is defined as receipt of approval from the County of As-Built Surveys for the horizontal improvements. Completion shall be within ten (10) years of commencement.

S. The projected impact of the Project upon St. Johns County, and an explanation of the Project's benefit to the County, as compared to existing zoning or other zoning district, and justification of the Project.

The property is currently located within the Residential B Category of the 2025 St. Johns County Comprehensive Plan, which will allow the types of uses and the residential densities included within this application. The overall area and neighborhood is ideally suited to this type of development and this tract is suitable in character and location for the structure and uses proposed, including close proximity to available public facilities, including schools. The existing residential development to the south and east of the subject parcel (Samara Lakes PUD), and the developments to the north (Sunshine 13 PUD and Sunshine 16 PUD) are all reflective of the transitioning character of this area. It has access to major roadways and transportation corridors by virtue of its proximity to Pacetti Road (immediately to the west) and State Road 16 (to the north), which provides access to area employment opportunities and retail activities.

The proposed development demonstrates a sustainable and compatible pattern of growth, complements, balances and supports the surrounding land use pattern, provides diversification of

housing types, transition of uses that promote and support an interaction of residential uses to surrounding commercial and public uses, and pedestrian-oriented design.

The Applicant believes that the proposed Enclave at World Golf PUD 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. The need and justification for approval of the PUD has been considered in accordance with the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby, it is found that:

- The PUD is compatible with the surrounding zoning and Comprehensive Plan as well as the overall trend of the area. Development of the subject project is consistent with the St. Johns County Comprehensive Plan.
- The proposed PUD will be a benefit to the future occupants of the PUD and to the residents of St. Johns County in that the County will be afforded strict control over development of this project. The PUD will not adversely affect the health, safety and welfare of the residents or workers in the area, will not be detrimental to the natural environment or to the development of adjacent properties or the neighborhood and will accomplish the objectives, standards and criteria set forth in the LDC.
- The impact of the PUD on County service and infrastructure will be within all adopted levels of service, including traffic concurrency. The PUD's benefits include the provision of additional housing opportunities that will complement neighboring developments. The PUD will conform to the requirements of Article XI of the LDC. Construction will commence only after confirmation by St. Johns County in accordance with the standards and procedures of the LDC that the availability of adequate public facilities and services

support the proposed PUD and issuance of a Final Certificate of Concurrency. No Final Development Permits (Construction Plans or Final Plats) can be approved unless a valid, unexpired Final Certificate of Concurrency has been issued by St. Johns County.

- The conditions stipulated in the PUD application and imposed by this ordinance provide for strict regulation and maintenance of this PUD. When developed in accordance with the conditions stipulated by this ordinance, the PUD will maintain the standards of the area, complement the neighboring developments and will be compatible with the desired future development of the area.
- The subject project meets all applicable requirements of Section 5.03.00 Planned Unit Development districts, as well as general zoning, subdivision and other regulations, specifically in relation to Location (it is located within a Res. B category on the 2025 FLUM, which district allows the type of development envisioned within the PUD), Compatibility, Adequacy of Public Facilities and in conformance with all applicable requirements of Section 5.03.00 Planned Unit Development districts. In addition, the PUD provides for a Master Development Plan Text and Map which meet the requirements of Section 5.03.02(G) of the Land Development Code.

Therefore, the type of uses included in the application will be compatible with the emerging development patterns of the area, are consistent with the St. Johns County Comprehensive Plan and all County requirements and guidelines, as well as consistent with the overall development trend for the area.

T. A description of any requested waivers from the strict provisions of the Land Development Code to allow for innovative design techniques and alternative development patterns through the PUD zoning process. An explanation of the benefits arising from the application of flexible standards and criteria of this Land Development Code shall be provided to justify the need for such waivers.

The Applicant seeks a waiver from Comprehensive Plan Policy A.2.1.3 to provide for averaging the 35 ft. development edge. Because of the unusual shape of the property and the adjacency to a residential pond on the property's south boundary, the Applicant believes the development design reflected on the MDP Map attached hereto as Exhibit "C" reflects a responsible development plan. A greater development edge (50 ft.) for a length of 896 feet has been provided along the property's northern boundary to provide for increased buffering for the single-family residence to the north and a lesser development edge (27 ft.) for a length of 308 feet is provided adjacent to the existing pond to the south. The net increase in the development edge is 618 ft. Additionally, the enhanced planting contemplated by LDC Section 6:06.02.H.1 will be provided where the development edge is reduced to 27 feet.

U. A statement, and agreement to comply, binding all successors and assigns in title to the commitments and conditions of the MDP.

The Applicant, its successors and assigns, hereby agree and stipulate 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 also agrees 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 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 roads, drainage facilities and common areas, located within the PUD for the common use and benefit of all property owners, shall 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 provisions 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. When the subject property is designated as more than one Future Land Use designation on the Comprehensive Plan Future Land Use Map, a map shall be provided depicting the boundaries between the designations and provide the total upland and Wetland acres for each land Use designation."

Not Applicable.

THE ST. AUGUSTINE RECORD

MCCLURE BLOODWORTH PL
81 KING STREET STE A
SAINT AUGUSTINE FL 32084

Ref.#: 16843068D
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 **NICOLE CORRIVEAU**

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 REZONING**

In the matter of **PUD 2016-05 ENCLAVE - PUD 2016-05 ENCLAVE**

was published in said newspaper on **07/20/2016**

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 _____ day of AUG 08 2016

by Nicole Corriveau who is personally known to me or who has produced as identification

Barbara S. Kelley

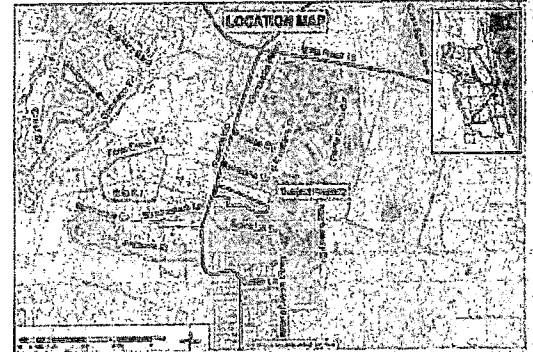
(Signature of Notary Public)

(Seal)

NOTICE OF A PROPOSED REZONING
NOTICE IS HEREBY GIVEN that a public hearing will be held on 8/4/2016 at 1:30 p.m. by Planning and Zoning Agency and 9/20/2016 at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, located in the County Administration Building at 500 San Sebastian View, St. Augustine, Florida 32084 to consider a Request to rezone from Open Rural to Planned Unit Development for the development of 21 single-family residential lots.

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

The subject property is 3740 Pacefitt Road. See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspected by interested parties prior to said public hearing. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.



Interested parties may appear at the meetings 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 notified public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

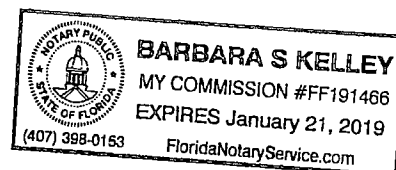
NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 500 San 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.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
JEFF MARTIN, CHAIR

FILE NUMBER: PUD-201600005
PROJECT NAME: The Enclave at World Golf

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JEB S. SMITH, CHAIR

16843068A July 20, 2016





FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 23, 2016

Honorable Hunter S. Conrad
Clerk of Court
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King

Dear Mr. Conrad:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2016-47, which was filed in this office on September 23, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED *Sept. 23 2016*
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK