

ORDINANCE NUMBER 2020 - 5

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE SOUTHWIND PLANTATION PLANNED RURAL DEVELOPMENT (PRD), ORDINANCE NO. 2018-21, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of St. Johns County, FL
Clerk number: 2020018463
BK: 4897 PG: 1530
3/6/2020 10:47 AM
Recording \$163.00

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

WHEREAS, the development of the lands within this Major Modification shall proceed in accordance with the application, dated October 21, 2019, in addition to supporting documents and statements from the applicant which are a part of **Zoning File MAJMOD 2019-05 Southwind Plantation PRD** for a Major Modification to the Southwind Plantation Planned Rural Development, Ordinance Number 2018-21, as amended and 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. That development of lands within the Southwind Plantation PRD described in the attached Exhibit A, shall be zoned and proceed in accordance with Ordinance Number 2018-21, as amended, including the Application for Major Modification and attached hereto and made a part hereof as Exhibit B, Exhibit C, and Exhibit D.

SECTION 2. That the need and justification for modification of the Southwind Plantation PRD, Ordinance Number 2018-21, as amended, 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 Southwind Plantation PRD is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. As modified, the Southwind Plantation PRD 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/PRDs.
4. As modified, the Southwind Plantation PRD 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 Southwind Plantation PRD meet all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.
6. As modified, the Southwind Plantation PRD 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 2018-21, as amended, not in conflict with the provision 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 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. Notwithstanding any provision of this ordinance, no portion of any use restriction, title conditions, restriction or covenant shall be deemed waived or varied by any provision herein.

SECTION 5. That the terms of this modification to the Southwind Plantation PRD shall take effect immediately upon receipt of this 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 February 2020.

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

BY: Jeb S. Smith
Jeb S. Smith
Chair

RENDITION DATE: FEB 20 2020

ATTEST: Brandon Patty, Clerk

BY: Wanne King
Deputy Clerk

EFFECTIVE DATE: FEB 20 2020



EXHIBIT "A"

Legal Description

SOUTHWIND PLANTATION

A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2023, PAGE 853 AND OFFICIAL RECORDS BOOK 4303, PAGE 736 AND A PORTION OF THOSE LANDS DESCRIBED IN CORRECTIVE SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 4260, PAGE 564, ALL OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, THE FOLLOWING DESCRIBED LANDS LYING IN SECTIONS 2, 11 & FLORA LESLIE GRANT, SECTION 42, TOWNSHIP 7 SOUTH, RANGE 28 EAST, SAID ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHEASTERLY CORNER OF SAID SECTION 11; THENCE SOUTH 89°54'47" WEST, ALONG THE SOUTHERLY LINE OF SAID SECTION 11, 64.42 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF A PROPOSED 250 FOOT RIGHT OF WAY, SAID POINT LYING ON A CURVE NON-TANGENT TO SAID SOUTHERLY SECTION LINE; THENCE NORTHWESTERLY ALONG THE AFOREMENTIONED EASTERLY PROPOSED RIGHT OF WAY LINE AND ALONG THE ARC OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1,875.00 FEET, THROUGH A CENTRAL ANGLE OF 24°49'07", AN ARC DISTANCE OF 812.19 FEET TO A POINT OF TANGENCY, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 12°24'33" WEST, 805.85 FEET; THENCE NORTH 00°00'00" EAST, CONTINUING ALONG SAID PROPOSED RIGHT OF WAY LINE, 1,140.55 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY, CONTINUING ALONG SAID PROPOSED RIGHT OF WAY LINE, ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1,525.00 FEET, THROUGH A CENTRAL ANGLE OF 50°46'56", AN ARC DISTANCE OF 1,351.63 FEET TO A POINT OF TANGENCY, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 25°23'28" WEST, 1,307.82 FEET; THENCE NORTH 50°46'56" WEST, CONTINUING ALONG SAID EASTERLY RIGHT OF WAY LINE, 2,085.11 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD No. 208 (A 66 FOOT RIGHT OF WAY AS NOW ESTABLISHED), JUST DESCRIBED POINT LYING ON THE NORTHERLY LINE OF AFOREMENTIONED LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4260, PAGE 564; THENCE NORTH 64°09'05" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE NORTHERLY LINE OF JUST MENTIONED LANDS, 2,590.18 FEET TO THE MOST NORTHERLY CORNER OF JUST MENTIONED LANDS AND THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF AFOREMENTIONED EASTERLY LINE OF SECTION 11, SAID EASTERLY LINE ALSO BEING THE EASTERLY LINE OF SAID OFFICIAL RECORDS BOOK 4260, PAGE 564 AND THE WESTERLY RIGHT OF WAY LINE OF CABBAGE HAMMOCK ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 207, PAGE 270; THENCE SOUTH 00°51'13" EAST, DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE AND SAID LINE OF SAID NORTHERLY PROLONGATION OF SAID EASTERLY LINE OF SECTION 11 AND EASTERLY LINE OF SAID LANDS AND SAID WESTERLY RIGHT OF WAY LINE, 276.97 FEET TO THE NORTHEASTERLY CORNER OF SAID SECTION 11; THENCE CONTINUE SOUTH 00°51'13" EAST ALONG THE EASTERLY LINE OF SAID SECTION 11, 5,280.27 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A 20'x22' BELLSOUTH TELECOMMUNICATIONS RIGHT OF WAY EASTMENT PER OFFICIAL RECORDS BOOK 1012, PAGE 1411 OF SAID PUBLIC RECORDS.

CONTAINING 96.25 ACRES, MORE OR LESS.

TOGETHER WITH:

A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4260 PAGE 564 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND LYING IN SECTION 11, TOWNSHIP 7 SOUTH, RANGE 28 EAST, SAID ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 11 AND THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2023, PAGE 853 & 869 EXHIBIT "A", PARCEL "A" AND OFFICIAL RECORDS BOK 3671, PAGE 1225, AND LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4303, PAGE 736 OF SAID PUBLIC RECORDS; THENCE NORTH 00°43'10" WEST, ALONG THE EASTERLY LINE OF SAID SECTION 11, AND THE EASTERLY LINE OF AFOREMENTIONED LANDS, 3,371.06 FEET TO THE SOUTHEASTERLY CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4260, PAGE 564; THENCE NORTH 00°43'10" EAST, ALONG THE EAST LINE OF SAID LANDS, 1,909.21 FEET TO THE NORTHEAST CORNER OF SAID SECTION 11; THENCE CONTINUE NORTH 00°43'10" WEST, ALONG THE NORTHERLY PROLONGATION OF THE EASTERLY LINE OF SAID SECTION 11, 276.97 FEET TO THE INTERSECTION OF SAID NORTHERLY PROLONGATION WITH THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 208 (A 66 FOOT WIDE RIGHT OF WAY) SAID POINT ALSO BEING THE NORTHEAST CORNER OF AFOREMENTIONED LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4260, PAGE 564; THENCE SOUTH 64°17'08" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND NORTHERLY LINE OF SAID LANDS AND LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4334, PAGE 673, 2,865.88 FEET TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 4334, PAGE 673, AND THE POINT OF BEGINNING; THENCE SOUTH 50°38'53" EAST ALONG THE WESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4334, PAGE 673, 2,197.30 FEET TO THE WESTERLY LINE OF SAID LANDS RECORDED IN OFFICIAL RECORDS BOOK 4260, PAGE 564; THENCE RUN ALONG SAID WESTERLY LINE THE FOLLOWING (6) COURSES; (1) NORTH 65°46'12" WEST, 477.73 FEET; (2) NORTH 54°40'06" WEST, 330.63 FEET; (3) NORTH 59°32'38" WEST, 311.32 FEET; (4) NORTH 49°30'58" WEST, 297.10; (5) NORTH 40°00'50" WEST, 192.83 FEET; (6) NORTH 36°29'04" WEST, 631.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.06 ACRES, MORE OR LESS

EXHIBIT "B"

**SOUTHWIND PLANTATION
PLANNED RURAL DEVELOPMENT**

October 21, 2019

Team Roster:

Applicant:

Southwind Plantation Corporation
John A. Semanik, Jennie Lesniak
2120 Corporate Square Boulevard, Suite 3
Jacksonville, Florida 32216
(904) 493-6909

Land Planning/Civil Engineering:

Connelly & Wicker, Inc.
Beth Leaptrott
10060 Skinner Lake Drive, Suite 500
(904) 265-3030

Environmental:

Access Ecological Associates
Johnathon Napier
2485 Pellicer Road
St. Augustine, Florida 32092
(904) 626-6708

Legal:

The Hart Perkins Firm, PLLC
Meagan H. Perkins
8051 Tara Lane
Jacksonville, Florida 32216

Exhibits/Attachments:

Exhibit "A" – Legal Description of the Property
Exhibit "C" – Master Development Plan
Attachment "D" – Soils Map
Attachment "E" – Land Use Cover Map
Attachment "F" – Environmental Report

SOUTHWIND PLANTATION PLANNED RURAL DEVELOPMENT
MASTER DEVELOPMENT PLAN TEXT

This is an application to rezone approximately 102 acres located south of County Road 208, west of Cabbage Hammock Road and east of the future County Road 2209 in unincorporated St. Johns County (the “**Property**”) from Open Rural (“**OR**”) to Planned Rural Development (“**PRD**”). The PRD will comply with the applicable requirements of Part 5.04.00 of the St. Johns County Land Development Code (the “**LDC**” or “**Code**”). This application is filed on behalf of the property owner, Southwind Plantation Corporation (the “**Owner**”).

- A. **Project Description:** The Owner is proposing to develop 20-single-family units and related amenities on the Property, which has St. Johns County Parcel Identification Nos. 029810-0020, 029810-0030 and 029810-0060. The Future Land Use Map (“**FLUM**”) designation of the Property is Rural/Silviculture (“**R/S**”). Adjacent lands to the east of the Property have a FLUM designation of Residential B. Parcels immediately to the west, south and northwest of the Property have an R/S FLUM designation. The Property is near a Mixed Use FLUM district at the St. Augustine outlet malls, located at the interchange of Interstate 95 and State Road 16.

The Southwind Plantation PRD fills a market demand for large-lot single-family housing by concentrating compact and contiguous development along the County Road 208 corridor. Proposed lot sizes are consistent with residential development in the area. Because of its proximity to existing development and infrastructure along County Road 208 and State Road 16, the project will not contribute to urban sprawl. The PRD provides for the preservation of agricultural and silvicultural lands through the implementation of Planned Rural Development controls. The project is configured in such a manner as to permit the continued agricultural and silvicultural use of the Reserve Area, in the locations depicted on the Master Development Plan, **Exhibit “C”** (the “**MDP MAP**”), and to allow maximum open space to be maintained in the Reserve Area through clustering the residential units in the Development Area, in compliance with Policy A.1.6.2(e) of the St. Johns Comprehensive Plan (the “**Comprehensive Plan**”).

- B. **Development Size:** As set forth on the MDP Map, the Property includes approximately 102 acres. The total Development Area of the PRD contains approximately 10.2 acres, and the total Reserve Area contains approximately 92 acres.
- C. **Wetlands:** There are approximately 31.6 acres of wetlands within the Property. A de-minimis impact of isolated wetlands will be impacted to allow for signage located adjacent to Cabbage Hammock Road at the entrance of the first phase. This de-minimis impact will be determined by St. Johns River Water Management under FAC 373.406. No wetlands will be impacted in order to provide a stormwater management system for the Property. All other wetlands will be preserved. The project will provide a minimum 50-foot buffer around the Development Area, as depicted on the MDP Map, **Exhibit “C”**. The buffer will contain both uplands and wetlands. Walking paths, ponds and other improvements permitted by the County shall be allowed within the buffer.

- D. **Development Area:** The development area contains approximately 10.2 acres, or 10 percent of the 102-acre Property. No wetlands are located within the Development Area. The Reserve Area contains approximately 92 acres, including approximately 31.6 acres of wetlands. Of the approximately 92-acre Reserve Area, approximately 64.5 acres will be Commonly Owned Reserve Area and approximately 27.5 acres will be included within lots but located outside of the Development Area.
- E. **Dwelling Units and Density:** Residential development shall be limited to 20 single-family residential units within the Development Area, on the building pads generally depicted on the MDP Map. The lots have been clustered in order to reduce wetland impacts.

The Development Area has been calculated as follows, pursuant to LDC Section 5.04.02 and Comprehensive Plan Policy A.1.6.2(c):

Approximately 102 acres x 0.10 = 10.2 x 2 units per acre = 20.4 units

The gross density of the Property is 0.20 units per acres based upon 20 single-family units on approximately 102 acres within the Property. The net density of the project within the Development Area of approximately 10 acres is 2.0 units per acre (20 units ÷ 10 acres). The projected population within the project is 49 persons based upon 2.44 persons per household. The estimated number of school age children within the PRD is 5 based upon the St. Johns County School Board standard of 0.27 school age children per household for the southern area of the County (0.27 x 20 units) and is 16 based on the County standard of 0.79 school age children per household (0.79 x 20 units).

- F. **Non-Residential Development:** There will be no non-residential development within the Property except for recreational improvements and other facilities ancillary to the residential development. Agricultural and silvicultural activities shall be permitted within the Property.
- G. **Site Development Criteria:** The residential areas and associated accessory development will be developed with detached single-family homes with fee-simple form of ownership. Guesthouses shall be allowed consistent with the code and subject to the setbacks set forth in this section. Home Occupations and Offices and Accessory Family Units as defined in the Code shall be allowed. Setbacks for the residential development shall be provided below:

1. Lot development criteria shall be as follows:

Minimum lot size: One (1) acre.

Minimum lot width: 100 feet, except that lots on cul-de-sacs may have a minimum lot width at the right-of-way of 25 feet.

Maximum building height: 35 feet.

Maximum impervious surface: 60 percent of the Development Area of each lot.

Maximum lot coverage by buildings: 50 percent of the Development Area of each lot.

2. Setbacks.

All minimum building setbacks stated herein shall be from the overall property boundary (including deeded Reserve Area). Setbacks shall be measured in accordance with applicable Code provisions.

Minimum setbacks shall be:

Front yard: 20 feet. Driveways may be located within front yards.

Side yard: 10 feet. Driveways may be located within side yards.

Rear yard: 10 feet.

Building Pad: Within Development Area building pads, setbacks shall be zero (0) feet.

The setbacks for Accessory Structures are provided in Section Q hereof.

3. Parking. Parking for minimum of two (2) vehicles shall be provided outside of the public right-of-way within the driveway or garage of each residential unit.

4. Fencing. Front, rear and side yards within the Development Area may be fenced with a maximum six (6)-foot fence, subject to the following restrictions: (i) fences may be of metal, wood, brick, stone, concrete or similar type fencing, with masonry columns if desired; (ii) no masonry fencing is allowed within drainage or underground utility easements; and (iii) no wood, brick, concrete or other type of fencing that is opaque may be located within 25 feet of the front property line of each lot. Non-opaque fencing will be allowed within 25 feet or less from the property line. See Section T for waiver. Fences may include gates for vehicular and pedestrian access to each lot and adjacent Reserve Areas. Fencing within the Reserve Area is allowed as is typically required to accommodate the allowable uses described in this text. Fencing will be prohibited within preserved wetland and upland buffer areas, pursuant to LDC Section 4.01.06.

5. Allowable Uses. A maximum of 20 single-family units will be allowed within the PRD as stated in Section E above and as depicted on the MDP Map.

a. Development Area Uses. The Development Area approximately 10 acres and is designated on the MDP Map. There are no wetlands located within the Development Area. Uses within the Development Area shall include single-family residential structures and accessory uses and structures allowable under LDC Section 2.02.04, provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of the structure. Such uses may include dwelling units, guest houses, garages,

walls, patios, decks, spas, pools, driveways, sidewalks, walkways, fencing, recreation uses, home offices and home occupations, roads, utilities, stormwater management facilities and other uses ancillary or accessory to the residential development within the Property. The office area for any home occupations allowing customers to visit the premises shall meet all applicable Code requirements. Uses within the Development area shall include land alteration activities which are normal and necessary to conduct Bona Fide Agricultural and Silvicultural Operations allowable under LDC Section 4.01.02.C.10. Uses within the 50-foot Development Area buffer that is located within the Reserve Area shall include the Accessory Uses and non-habitable Structures allowable under the LDC Section 2.02.04, including, but not limited to, driveways, pools, screen enclosures, decks, patios, spas, fencing, sidewalks, stormwater facilities, boardwalks, docks, fencing, heating and air conditioning units and pads, well and septic systems, barns and workshops.

b. Reserve Area Uses. The Reserve Area is the area outside of the Development Area, as shown on the MDP Map. Uses within the Reserve Area wetlands include potential stormwater facility outfall and incidental impact and possible erosion protection for the outfall, subject to necessary permitting by applicable agencies. Uses within the Reserve Area uplands shall include uses typically allowed within agricultural areas, including those accessory uses set forth in LDC Section 2.02.01.B except that housing units shall not be allowed within the Reserve Area. Such uses include park and passive recreation amenities and structures, barns, horses, fencing, gazebos, docks, boardwalks, landscaping, workshops, septic systems, ponds and wetland mitigation for onsite or offsite wetland impacts, (including preservation and enhancement of wetlands and uplands and creation of wetlands) and existing agricultural and silvicultural activities.

6. Signage. Project identification signs will be located at or near the main entrance into the Property in the general location depicted on the MDP Map. The project identification signs may be monument or ground signs, may be incorporated into a wall, fence or other structure, and shall be no more than 15 feet in height. The project identification signs may be either:
 - (1) one (1) two-sided median sign at the entrance to the first phase of the Project at the corner of Cabbage Hammock Road and County Road 208 and one (1) single sided or two-sided median sign at the entry road to the second phase, each with a maximum Advertising Display Area (“ADA”) of 32 square feet per side;
 - (2) Two (2) single-faced signs flanking each side of the entrances to the Project, each with a maximum ADA of 32 square feet;
 - (3) A single or two (2)-sided sign with a maximum ADA of 32 square feet per side located on either side of the entrance road into the project; or

- (4) A combination of median and side signage at the entrance to the project with a maximum ADA of 32 square feet per side.

Project identification signage may be internally lighted or externally illuminated and shall be landscaped. All permanent signs permitted within the Property may be either monument type or ground signs, may be incorporated into a wall, fence or other structure, and shall be located no less than five (5) feet from any property line and shall not obstruct visibility for vehicular traffic.

Various locational, informational, directional, model home and traffic control one or two-sided signs in accordance with applicable Code requirements shall be allowed on site within the Development Area and the Reserve Area to direct traffic and for identification of a sales office, recreation areas, etc. which may be internally lighted or externally illuminated, incorporated into a wall, fence, entry feature or other structure, and landscaped. The locational signs will have a maximum ADA of three (3) square feet with a maximum height of three (3) feet.

Temporary signage will be allowed for sales and marketing purposes. Temporary signage will consist of (1) two-sided median sign at the entrance to the first phase of the Project at the corner of Cabbage Hammock Road and County Road 208 and one (1) two-sided median sign at the entry road to the second phase, each with a maximum Advertising Display Area (“ADA”) of 32 square feet per side.

All signage ADA within the project shall not include the base structure or any decorative edging. Any of the signs within the Property may be located either inside or outside of the rights-of-way, on either side of rights-of-way, or within median islands that are not part of rights-of-way. All of the signs within the Property shall comply with LDC Article VII except as stated herein.

7. Lighting.

The Project lighting will comply with applicable provisions of LDC Section 6.09.00.

H. **Infrastructure.**

1. Stormwater. Stormwater will be handled on-site with one (1) or more ponds or dry storage areas, berms, and roadside swales throughout the site and conveyed via the roadways and/or piping within appropriate easements. The drainage structures and facilities will be designed and constructed in compliance with the Code in effect at the time of permitting and the requirements of the St. Johns River Water Management District. The stormwater ponds may be designed as amenities and may have fountains. All retention areas will be subject to a drainage easement extending a minimum of eight (8) feet landward of the design top of bank. Easements will also be provided to allow for maintenance access to the retention areas. No permanent structure shall be allowed within any public or private drainage or underground utility easement. Any wet detention/retention

ponds with a surface area greater than one (1) acre will be designed to utilize stormwater runoff for irrigation as applicable.

2. Vehicular Access/Interconnectivity. Access into the Property will be from County Road 208 and Cabbage Hammock Road, in the locations shown on the MDP Map. The Owner will reserve 17 feet of right-of-way for future widening of County Road 208, in the location depicted on the MDP. Internal roads will have a minimum right-of-way width of 50 feet. No interconnections to the project area feasible because of the locations of County Road 208, Cabbage Hammock Road and the future County Road 2209. All roads, streets and parking areas shall conform to the design standards specified in the Code except as provided in this text. Any modifications to roadways will comply with the requirements of LDC Section 5.03.05. Internal roadways will be privately owned by a property owners association. The MDP Map depicts a preliminary vehicular circulation system. The exact location and configuration of internal roads and stormwater facilities shall be depicted on construction plans submitted for approval by the County. Changes made to the PRD shall be in accordance with LDC Section 5.04.07.
3. Sidewalks. The project will provide a minimum 4-foot-wide sidewalk along one (1) side of all internal streets and a minimum 5-foot-wide sidewalk along County Road 208 within the Property and will be constructed prior to approval of final as-builts for the second phase of the development, subject to applicable provisions of LDC Section 6.04.07H. Sidewalks will be shown on construction plans. The owner may provide pedestrian connections between residential parcels through an open space and the Reserve Area, subject to applicable permitting requirements and construction plan approval. The Owner will not provide sidewalks along Cabbage Hammock Road.
4. Recreation and Open Space. The project will provide one acre of active recreation, including a multi-purpose field, in the location depicted on the MDP. Access to the park site will be via County Road 208 and Cabbage Hammock Road. The project will contain minimum of 25 percent open space.
5. Fire Protection. Emergency and fire protection services shall be provided by St. Johns County. Fire State 4 (Bakersville) is within one-half mile of the site. The project will comply with applicable provisions of LDC Section 6.03 except for request to waivers from LDC Section 6.03.02 and 6.03.03.D which are included in Section T of the text. A fire-hydrant will be provided on the Northside of County Road 208 at the intersection of Cabbage Hammock Road and County Road 208. An additional fire-hydrant will be provided along the Northside of County Road 208 at the entrance to the second phase of the development. Each home will be required to be protected with an automated fire sprinkler system designed and installed in accordance with NFPA 13D edition as adopted in the Florida Fire Prevention Code.
6. Solid Waste. Solid waste collection will be provided by the County contracted waste collection company. Based upon an estimated generation of four (4) pounds

per person per day, solid waste generation for 20 residential units results in an estimated 195 pounds per day (20 x 2.44 x 4).

7. Utilities. All electrical and telephone lines will be installed underground within the Property. Electrical power will be provided by FP&L.

- I. **Potable Water/Sanitary Sewer:** Potable water will be provided by individual wells. Prior to the construction of lots 1 thru 9 along Cabbage Hammock Road, an existing water line along the Northside of County Road 208 shall be extended to the intersection of Cabbage Hammock Road and County Road 208. Concurrent to the construction of lots 10 thru 20 along County Road 208, the same water line will be extended along the Northside of County Road 208 to the entrance of the Second Phase of the development. Sanitary sewer will be provided by septic tanks. All utility construction projects are subject to the current construction standards within the Manual of Water, Wastewater, Reuse Design Standards & Specifications at the time of review. Water lines that are to be dedicated to the SJCUD for ownership that are not in 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 mains unless otherwise approved by SJCUD. Landscaping trees and landscaping buffers shall be placed at a minimum of 7.5 feet away from the centerline of utility pipelines.

- J. **Soils:** The soil survey for St. Johns County Florida identifies the following types of soil within the Property: Myakka fine sand (3), Pomona fine sand (9), Wesconnett fine sand (30), and Holopaw fine sand. See Soils Map attached as **Attachment "D"**.

- K. **Site Vegetation:** Within the Property, the Level III classification of the Florida Land Use, Cover and Forms Classification System ("FLUCFCS") identifies the following upland vegetation types on the site: Upland Pine Plantation Wetland Pine Plantation and Wetland Forested Mixed. See Land Use Cover Map attached as **Attachment "E"**.

- L. **Significant Natural Communities Habitat:** The project environmental consultant, Access Ecological Associates, has assessed the site for the occurrence of Significant Natural Communities Habitat. No such habitat is present on the Property. See Environmental Report attached as **Attachment "F"**.

- M. **Historic Resources:** The project area falls within low, medium, and high probability zones for archaeological sites based upon the county's defined archaeological probability zones. In 2017, Heritage Services, Inc. submitted a cultural resource assessment of the subject parcel. No cultural resources were located as a result of the archaeological survey.

- N. **Buffers, Landscaping and Clearing:** A 10-foot Perimeter Buffer will be provided as shown on the MDP Map. A 50-foot Development Area Buffer shall be provided around the Development Area within the Reserve Area, in compliance with LDC Section 5.04.03.C. The Development Area Buffer may be used for landscaping and hardscaping, walls, berms, fences, stormwater facilities and illumination fixtures. There are no

incompatible uses proposed within the PRD that would necessitate the 200-foot buffer required in LDC Section 5.04.03.B.6. The aforementioned buffer will be included within the Development Area Buffer discussed earlier in this paragraph.

Excavation activities associated with lake creation and retention/detention ponds shall be shown on construction plans and shall be allowed within approved Development Areas (as defined by approval of construction plans) within the project, pursuant to applicable provisions of LDC Section 2.03.10 and 6.04.09. The dirt from such excavation activities may be retained on-site or sold and transported from the site where the Owner has determined that such dirt is not required for development of the project. Additionally, fill dirt may be brought into the Property as needed to develop the project. Stockpile areas will be identified on construction plans.

For infrastructure development, the County may issue permits for clearing, grading and earthwork for portions of the project before the County approves construction and engineering plans; provided however, all other federal, state and regional permits applicable to land clearing, grading and earthwork must be obtained. Prior to any such land clearing activities, the Owner shall provide to the County a tree inventory or location in compliance with LDC Section 4.01.05.F within the limits of the clearing for the road rights-of-way and the master drainage system. The development will conform to all applicable land clearing and tree replacement requirements set forth in LDC Section 4.01.05.

For residential lot development landscaping requirements, the minimum lot size shall be one (1) acre, with a maximum tree mitigation requirement of 80 Tree Inches (as defined by the Code) per Lot. Lot clearing will be allowed individually by permit through the County.

- O. **Special Districts:** The Project is not located in a Special District as defined by LDC Article III.
- P. **Temporary Uses:** Development within the Development Area and construction of the improvements may require temporary uses such as construction trailers, temporary signage or temporary access. Temporary construction trailers and other temporary improvements may be moved throughout the project as necessary. Temporary trailers shall be allowed to remain on site for a period of five (5) years commencing from the start of construction. Temporary construction trailers must be removed from the site within one (1) months following the County's approval of a certificate of occupancy for the last home to be constructed within the project, pursuant to LDC Section 2.02.05.B.5. Temporary construction trailers will be shown on engineering and construction plans. Model homes may be used as temporary sales centers and construction offices after as-built approval. Parking for the model homes and sales offices will be located within the driveway. Model homes may have (1) sign each, located on the applicable lot. As allowed by the Code, model homes may be constructed prior to platting. Model Homes must be located on a residential lot shown on the approved MDP Map. Model homes shall not equal more than 10 percent of the total number of lots allowed under an approved development permit. No certificates of occupancy shall be released until a final plat has been recorded and As-Builts have been approved by the County.

- Q. **Accessory Uses:** All accessory uses and structures as provided in the Code are allowed within the project, provided such uses are of a nature customarily incidental and clearly subordinate to the permitted or principal use of the structure. Accessory uses, such as home offices and occupations, guest houses, accessory family units, workshops, pets, and the like will be allowed as per the requirements for residential districts stipulated within the Code. The home office area shall meet all Code and ADA requirements. Fencing shall be allowed as specified in Section H.3 above.

Accessory Structures, including uncovered decks and patios, shall be allowed as described in LDC Section 2.02.04, and may be located in a required yard with a minimum setback of five (5) feet from any property line or top of bank of any lake (if applicable). Detached Accessory Structures such as Guest Houses and Accessory Family Units will be separated from the main Structure by not less than 10 feet and may be located in a required side or rear yard as long as such structures are not located less than three (3) feet from any lot line. Air conditioning and heating units and pads designed to serve the main building may be located in any required side or rear yard and but not less than five (5) feet from any lot line. No air conditioning or electrical equipment, masonry walls, swimming pools or swimming pool decks, or pool enclosures will be located within platted drainage or underground easement boundaries.

- R. **Phasing:** The PRD will be developed in two (2) 5-year phases. The First Phase will commence within three (3) years of the effective date of the PRD major modification with the Second Phase commencing by the fifth (5) year. Pursuant to LDC 5.03.02.G.1.R, the second phase may not commence until at least 50% of the first phase is approved. "Commencement" for purposes of this Section R is defined as County approval of horizontal construction plans. Each Development Phase will be completed within 5 years of its Commencement. "Completion" of development shall be defined as County approval of the As-Builts for all horizontal improvements. Any portion of the project may be developed at any time within the Development Phase by separate plats based upon marketing and engineering plans. Phase 1 and Phase 2 is depicted on the MDP Map.
- S. **Project Impact:** The PRD 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 and will accomplish the objectives, standards and criteria set forth in the Comprehensive Plan and the Code. The project will provide on-site stormwater drainage facilities and will preserve approximately 31.6 acres of wetlands. The overall design incorporates generous green space and open space and varied passive on-site recreational opportunities for its residents. Private wells and septic tanks will provide all of the water and sewer facilities for the Development Area, except that may connect to St. Johns County potable water lines as provided in Section H.5 above. The project will have minimal impact on the facilities and infrastructure of St. Johns County.

The project is compatible with the future land use and zoning designations of surrounding property, will complement the other developments and natural resources within the area, and will comply with the Comprehensive Plan. The infrastructure,

recreational and community support amenities to serve this Project are in place or will be constructed in the future.

Justification Statement, Summary and Conclusion.

The need and justification for approval of the Southwind Plantation PRD has been considered in accordance with the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, as follows:

A. Consistency: The project is located within the Rural/Silvicultural (R/S) designation on the Future Land Use Map. The proposed rezoning is consistent with the Goals and Objectives of the St. Johns County Comprehensive Plan and is not incompatible with present or future land uses.

B. Location: The project is located within a Rural/Silvicultural FLUM district, which allows the type of development envisioned within the PRD. Therefore, the project conforms to the requirements for location as required under the Comprehensive Plan and Land Development Code.

C. Compatibility: The proposed uses are compatible with the area and the overall community and meet the requirement of Comprehensive Plan Objective A.1.3, Surrounding Land Use, which requires that adjacent land uses be compatible. Compatibility means a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is unduly negatively impacted directly or indirectly by another use. The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, will not adversely affect the orderly development of St. Johns County as embodied in the Code and the Comprehensive Plan, as the proposal is in conformance with the Comprehensive Plan and its goals and objectives. It will not be detrimental to the natural environment or the development of adjacent properties or the neighborhood. As a result of the conditions and safeguards included in this application, this development will be beneficial to the area as a whole. The PRD provides for strict regulation and maintenance of the project to provide the County assurance of an attractive and beneficial asset.

Adjacent land uses surrounding this property include single-family dwellings, small farms, wetland mitigation parks and other silvicultural activities, all of which are compatible with the PRD. The proposed use of the property is compatible with the area and the uses on the adjacent lands and is in conformance with the criteria established within the Comprehensive Plan. The permitted uses will not have an unreasonable incompatible impact on the contiguous 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 PRD are allowable within the R/S FLUM designation under the Comprehensive Plan.

D. Adequacy of Public Facilities: The Property and future project is served by a major transportation system and will provide on-site stormwater and drainage facilities

that mitigate any off-site drainage impacts. The project will obtain a certificate of concurrency for public facilities.

E. Relation to PRD Regulations: The project meets all applicable requirements of general zoning, subdivision and other regulations except as requested to be waived in Section U below.

F. Master Development Plan: The text and MDP for this project meet all requirements of LDC Section 5.03.02

T. Waivers:

1. LDC Section 2.02.04.B.12 Fencing

A waiver is requested to this provision to allow lot owners to erect non-opaque fencing up to six (6) feet in height within front yards. This project is a Planned Rural Development, and residents may desire to fence their entire properties, similar to fencing found in nearby agricultural areas. Front yard fencing must provide the ability to be seen through so as not to obstruct lines of sight of adjacent rights-of-way.

2. LDC Section 6.03.03.D Fire Hydrant Systems

A waiver is requested to this provision to allow lot owners to have individual wells. Since each lot in this project is more than one acre in size, the cost of extending the water line along County Road 208 and through the project is exponential and not feasible. Extending the existing water line along the Northside of County Road 208 to the intersection of Cabbage Hammock Road and County Road 208 and providing a fire-hydrant will provide the needed fire protection. Furthermore, the same water line will be extended along the Northside of County Road 208 to the entrance of the second phase of the development and an additional fire-hydrant will be provided for the lot owners in the second phase.

3. LDC Section 6.03.02 Fire Protection Water Supply

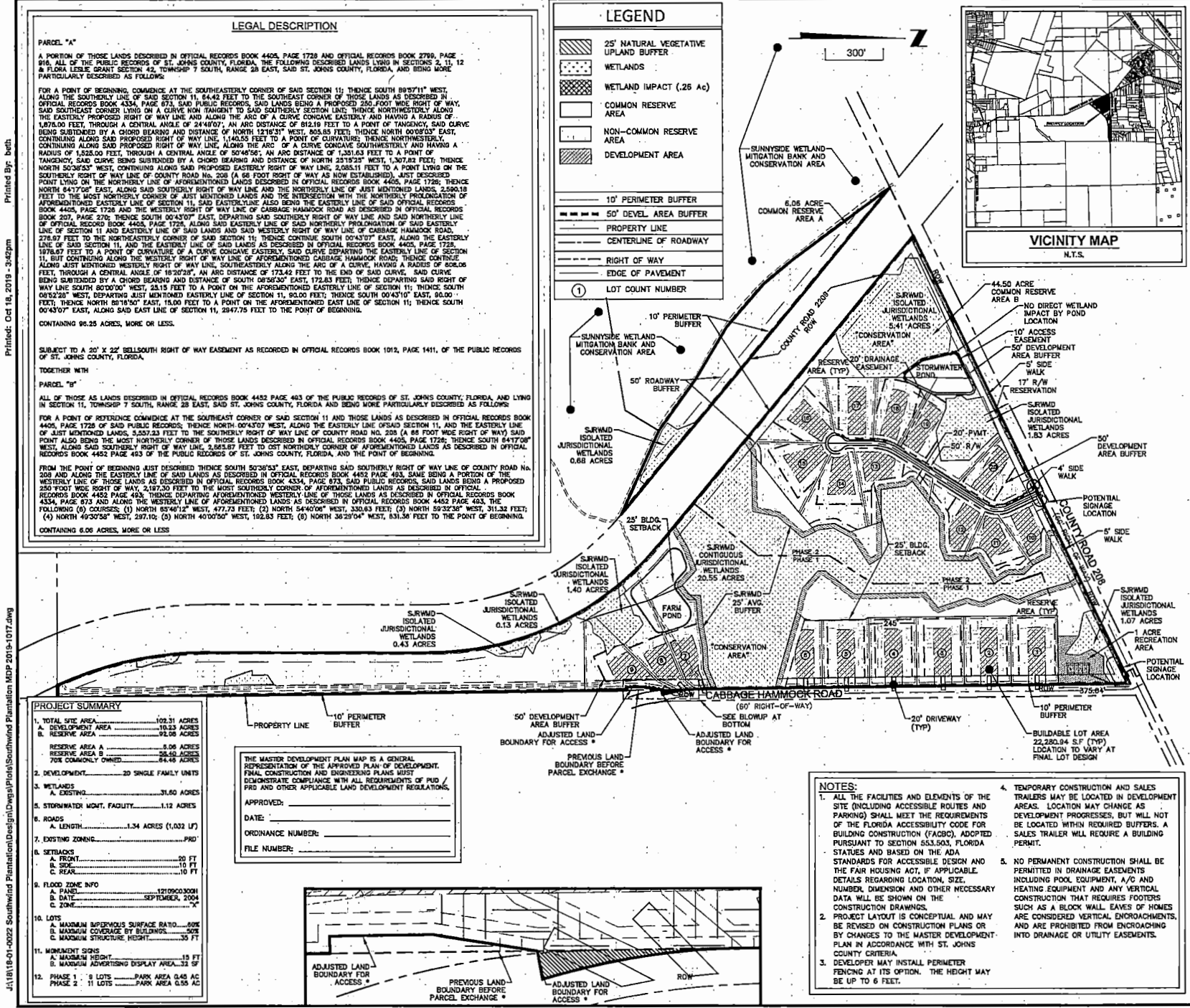
A waiver is requested to this provision to allow lot owners to have added protection provided to each home by requiring that each home be protected with an automatic fire sprinkler system designed and installed in accordance with NFPA 13D edition as adopted in the Florida Fire Prevention Code. With the extension of the water line along County Road 208 at the intersection of Cabbage Hammock Road and the addition of the two fire hydrants, this will provide sufficient fire protection to each lot owner.

4. LDC Section 7.02.03.C Additional Temporary Signs

A waiver is requested to this provision to allow for an additional temporary sign. Due to the size of the project and the phasing, this will allow the owner to provide temporary signage at the corner of the first phase of the project and at the entrance to the second phase of the project. For sales and marketing purposes, temporary signage will consist of (1) two-sided median sign at the entrance to the first phase of the Project at the corner of Cabbage Hammock Road and County Road 208 and one (1) two-sided median sign at the entry road to the second phase, each with a maximum Advertising Display Area (“**ADA**”) of 32 square feet per side.

- U. **Ownership/Agreement:** All successors and assigns in title to the Property shall be bound to the conditions of the approved PRD. A notice of PRD approval and designation of the Reserve Area as permanent open space shall be placed of record upon approval of this PRD, consistent with Comprehensive Plan Policy A.1.6.2.(j).
- V. **Future Land Use Designation:** The PRD is located in the Rural/Silvicultural (R/S) Comprehensive Plan FLUM category. The total upland and wetland gross acreage within the R/S FLUM category is approximately 102 acres.

EXHIBIT C



Printed By: beth

Printed: Oct 18, 2019 - 3:42pm

J:\181B-01-0022 Southwind Plantation\Design\Plans\Southwind Plantation MDP 2019-1017.dwg

W Connelly & Wicker Inc.
 Planning · Engineering · Landscape Architecture
 10660 Skinner Lake Drive, Suite 500 Jacksonville, Florida 32246
 (904) 245-3030 FAX: (904) 255-9031 www.cwieg.com
 C.A. Number: 9650 L.A. Number: LC26060311

No.	Date	Description
1	10/17/19	10/17/19 MODIFICATIONS PER PER COMMENTS
2		
3		
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12		

MASTER DEVELOPMENT PLAN

SOUTHWIND PLANTATION PLANNED RURAL DEVELOPMENT

PREPARED FOR:
SEIMANIK INVESTMENT CORPORATION

DATE: 10/18/2019
 PREPARED BY: MARY E. LEIGHTON, Reg. Engineer

Project No.	18-01-0022
Design:	MEL
Check:	DC
Drawn:	TBW
Date:	October 18, 2019
Scale:	1" = 300'

THE ST. AUGUSTINE RECORD
Affidavit of Publication

HART PERKINS FIRM
8051 TARA LANE

JACKSONVILLE, FL 32216

ACCT: 47330
AD# 0003253202-01
PO#

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

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says 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-2019000005 was published in said newspaper on 01/23/2020.

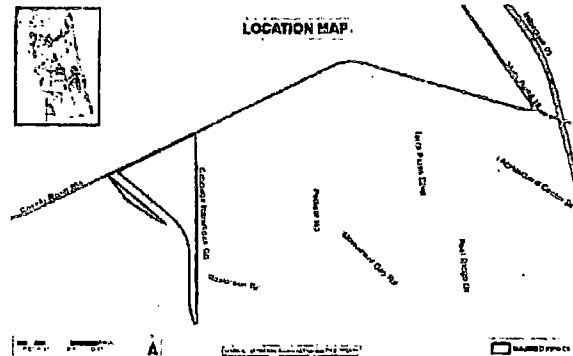
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

NOTICE OF A PROPOSED MAJOR MODIFICATION

NOTICE IS HEREBY GIVEN that a public hearing will be held on 2/18/2020 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to consider a Request for a Major Modification to the Southwind Plantation PHU (Ordinance 2018-21, as amended) to modify the Site Development Criteria, Infrastructure, Potable Water/Sanitary Sewer, Buffers, Landscaping and Clearing, and Phasing sections of the PRD Text.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE SOUTHWIND PLANTATION PLANNED RURAL DEVELOPMENT (PRD), ORDINANCE NO. 2018-21, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is 2439 Cabbage Hammock 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 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 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) 209-0550 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 BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA ST. JOHNS COUNTY, FLORIDA
MIKE KOPPENHAFFER, CHAIR JEB SMITH, CHAIR
FILE NUMBER: MAJMOD-2019000005
PROJECT NAME: Southwind Plantation PRD

0003253202 January 23, 2020

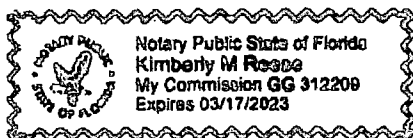
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this 24 day of JAN 2020

by [Signature] who is personally known to me or who has produced as identification

[Signature]
(Signature of Notary Public)





FLORIDA DEPARTMENT OF STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

February 20, 2020

Honorable Brandon Patty
Clerk of Courts
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. 2020-5, which was filed in this office on February 20, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED **FEB 20 2020**
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK