

ORDINANCE NO. 2023 - 21

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE SIX MILE CREEK PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NUMBER 1991-37, AS AMENDED; REZONING APPROXIMATELY 33.96 ACRES FROM OPEN RURAL (OR) TO PUD; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the development of lands within this Major Modification shall proceed in accordance with the application dated January 28, 2023 in addition to the supporting documents and statements from the applicant **which are a part of file MAJMOD 2023-05 TrailMark Recreational Pond**, for an amendment to the Six Mile Creek PUD, Ordinance No. 1991-37, as amended, and as approved by the Board of County Commissioners, and incorporated into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. That development of lands, described in the attached Exhibit "A" (Legal), within the Six Mile Creek PUD, shall proceed in accordance with Ordinance Number 1991-37, as amended, including the Application for Major Modification and attached hereto and made a part hereof as Exhibit "B" (MDP Text) and Exhibit "C" (MDP Map).

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

1. The request for a Major Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. As modified, the PUD is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. As modified, the PUD is consistent with Part 5.03.05.C of the St. Johns County Land Development Code, which provides conditions for Major Modifications to approved PUDs.
4. As modified, the PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments and with the General Standards of Section 5.03.02 with respect to (B) location; (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
5. The Master Development Plan Text and Map for the PUD meets all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.

6. As modified, the PUD is consistent with Policy A.1.3.11 of the 2025 St. Johns County Comprehensive Plan in that it does not adversely affect the orderly development of St. Johns County and is compatible with the development trends of the surrounding area.

SECTION 3. That all other provisions of Ordinance 1991-37, 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.

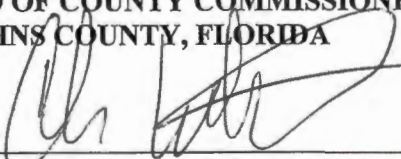
SECTION 5. It is the intent of the St. Johns County Board of County Commissioners that scrivener's and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

SECTION 6. That the terms of this modification to the Six Mile Creek PUD shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 7. 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.

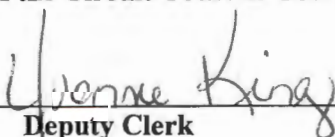
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 6th DAY OF June 2023.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: 
Christian Whitehurst, Chair

Rendition Date JUN 08 2023

**ATTEST: BRANDON J. PATTY,
Clerk of the Circuit Court & Comptroller**

BY: 
Deputy Clerk



Effective Date: _____

Exhibit A – Legal description Added Parcel

A PORTION OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWESTERLY CORNER OF SAID SECTION 5; THENCE NORTH 88°52'35" EAST, ALONG THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4428, PAGE 285 OF THE PUBLIC RECORDS OF SAID COUNTY, 750.27 FEET TO THE EASTERLY LINE OF LAST SAID LANDS AND THE POINT OF BEGINNING; THENCE NORTH 03°20'25" WEST, ALONG LAST SAID LINE, 659.13 FEET TO THE NORTHERLY LINE OF LAST SAID LANDS; THENCE SOUTH 88°50'20" WEST, ALONG LAST SAID LINE, 750.28 FEET TO THE WESTERLY LINE OF SAID SECTION 5; THENCE NORTH 03°20'35" WEST, ALONG LAST SAID LINE, 658.65 FEET TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3274, PAGE 720 OF SAID PUBLIC RECORDS; THENCE NORTH 88°48'01" EAST, ALONG LAST SAID LINE, 1500.03 FEET TO THE EASTERLY LINE OF LAST SAID LANDS; THENCE SOUTH 03°20'15" EAST, ALONG LAST SAID LINE AND ALONG THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2486, PAGE 546 OF SAID PUBLIC RECORDS, 1319.28 FEET TO THE SOUTHERLY LINE OF LAST SAID LANDS; THENCE SOUTH 88°52'35" WEST, ALONG LAST SAID LINE, 749.70 FEET TO THE POINT OF BEGINNING.

APPLICATION FOR MAJOR MODIFICATION
OF
SIX MILE CREEK PUD

PUD Ordinance 91-37,
as previously modified
by
St. Johns County Planning and Zoning Agency
Resolutions 96-19, 96-28, 98-59, 99-03 and 99-48
and by
St. Johns County Ordinances 98-38, 2003-6, 2003-56, 2004-44, 2005-95,
2006-101, 2021-13, 2021-35 and 2023-04

April 26, 2023

SIX MILE CREEK PUD

MASTER DEVELOPMENT PLAN TEXT

This Master Development Plan Text is part of an application for a Major Modification (the "Application") to the Six Mile Creek Planned Unit Development, as approved under PUD Ordinance 91-37, as previously modified by St. Johns Planning and Zoning Agency Resolutions 96-19, 96-28, 98-59, 99-03 and 99-48 and by St. Johns County Ordinance 98-38, 2003-6, 2003-56, 2004-44, 2005-95, 2006-101, 2021-13 2021-35, and 2023-04 (the "PUD") in compliance with Section 5.03.02.G.1 of the St. Johns County Land Development Code (the "LDC"). The application is filed on behalf of Six Mile Creek Investment Group, LLC (the "Applicant"). The purpose of this Major Modification is to add an approximately 34.02 acre parcel, located southeast of the Six Mile Creek PUD, to the PUD and rezone this parcel to PUD (the "TrailMark Recreational Parcel"). Six Mile Creek South Parcel 16 is expanded to include the TrailMark Recreational Parcel. This PUD rezoning only affects land owned by the Applicant within Six Mile Creek South.

In accordance with the Vesting Determination for Saint Johns DRI dated February 19, 2004, the Saint Johns DRI and subsequent Interchange Parcels PUD and Six Mile Parcels PUD are vested from provisions of Section 4.01.05 of the Land Development Code and development may continue in accordance with the DRI Development Order, approved PUDs and other applicable land development regulations and permitting requirements in existence at the time the DRI Development Order was approved, specifically being Ordinance No. 86-4 and 90-11.

- A. **Project Description: Mixed Use Concept.** The Master Development Plan Map (the "MDP Map") for the Six Mile Creek Parcel of the Saint Johns Development of Regional Impact (the "DRI") has generally been approved as Map H-Page 2 of the Saint Johns DRI/Development Order approved by St. Johns County under Resolution 91-130, as amended in Resolution 91- 183, Resolution 94-211, Resolution 95-06, Resolution 96-102, Resolution 96-233, Resolution 98-126, Resolution 98-179, Resolution 99-20, Resolution 99-173, Resolution 2002-53, Resolution 2003-116, 2004-133, 2006-290, 2011-335, 2017-117, and 2021-82 (the "DRI/DO"). As illustrated on the MDP Map, the project consists of a well- balanced mix of residential, commercial, and recreational uses. Combined with the Interchange Parcels PUD, which are a part of the DRI, the Saint Johns community will provide a self-sustaining mix of integrated uses. The broad mix of residential types, employment base, educational facilities, cultural activities and recreational opportunities will allow families to work, shop, learn and play close to their homes. The project has been carefully designed and planned to protect environmentally sensitive areas and to leave almost 45% of the acreage within the Six Mile Creek and Turnbull Creek Parcels in its natural state. The MDP Map has been updated to include the TrailMark Recreational Parcel and for consistency with the companion DRI/DO Amendment.

- B. **Development Size:** The total number of acres within the Six Mile Creek Parcel is approximately 4,015.06 and the total number of acres within the Turnbull Creek Parcel is approximately 454.55, for a total acreage within the PUD of approximately 4,469.61 acres.
- C. **Wetlands:** A total of approximately 1,398.27 acres of wetlands and 264.83 acres of uplands will be preserved on the Six Mile Creek Parcel, and approximately 72.3 acres of wetlands and 276.4 acres of uplands will be preserved on the Turnbull Creek Parcel under the approved PUD. The preserved wetlands and wetland impacts have generally been reviewed and approved under the DRI and applicable modifications.
- D. **Development Area:** The total development area of the project is depicted on the MDP Map. There are approximately 89.2 acres of school sites, 8.5 acres of civic land use, 16.0 acres of commercial land use, and 74.95 acres of recreational land use in addition to a golf course located within Six Mile Creek North. The use classification of each parcel within the PUD is set forth on the MDP Map. The open space provided within common areas, buffers, wetlands, and recreation areas exceeds 25% of the total PUD acreage.

Open Space and Preservation Areas. A total of approximately 1,398.27 acres of wetlands and 264.83 acres of uplands are preserved on the Six Mile Creek Parcel, and 72.3 acres of wetlands and 276.4 acres of uplands are preserved on the Turnbull Creek Parcel as approved under the PUD. All of the areas to be preserved that are contained within contiguous systems will be covered by conservation easements to be granted to the St. Johns River Water Management District prior to construction in the vicinity of the preservation areas. Any areas depicted on the MDP Map as preservation or open space areas that are not within contiguous systems will be preserved by means of covenants and restrictions to be recorded at the time of incremental Master Development Plan approval for any development in the vicinity of such areas.

- E. **Dwelling Units and Density:** The number of dwelling units and density for the project was addressed and reviewed under the original DRI Application. The portion of the TrailMark Recreational Parcel subject to the Comprehensive Plan site specific policy approved under Ordinance 2021-45 is entitled for six single family homes and any other Residential A Uses. Development of the six single family homes will require an Incremental Master Development Plan. Three school sites were set aside within the PUD and conveyed to the St. Johns County School Board as described in Specific Condition KK of the DRI/DO. Residential development within the PUD will be as follows:

- 1. Residential Categories: The MDP Map identifies five major categories of residential uses - single family estate lots (SFE), single family conventional (SFC), patio homes (PH), townhomes (TH), and multi-family (MF). Within Six Mile Creek South, Parcels 7, 9 and 15

designated as TH use, Parcels 10 and 11 designated as MF use and Parcel 2 designated as SFC use on the MDP Map may be developed with traditional design criteria as specified in Section E.3 below and on the Development Criteria Table attached as Exhibit 1 and the Additional TD District Design Criteria attached as Exhibit 2 and Exhibits 3-A through 3-H.

The maximum allowable density and total number of units allowed for each residential category is set forth in Table III below.

Table III

Breakdown of Residential Types

Six Mile Creek Parcel

<u>Residential Category</u>	<u>Maximum Allowable Density*</u>	<u>Total Units</u>
SFE	3.2 DUs per acre	732
SFC	5 DUs per acre	2,477
PH	6 DUs per acre	448
TH	8 DUs per acre	400
MF**	N/A	749
Single or Multi-Family		<u>5</u>
TOTAL		4,811

* The maximum allowable density is based upon all acreage within each of the identified residential development pods. As a result, the density is net of arterial road rights-of-way, environmental preservation areas and master drainage or retention areas. The acreage within collector road rights-of-way, interior lakes and ponds, wetlands to be filled pursuant to appropriate dredge/fill permits and wetlands incorporated into lots or other interior open spaces is to be included in determining the allowable number of units for each development parcel.

** There are three MF sites within the Six Mile Creek Parcel. These are Parcel 6, Six Mile Creek North, Parcel 11, Six Mile Creek South; and Parcel 10, Six Mile Creek South. The Developer may locate up to 600 units on the MF Parcels in Six Mile Creek South, and up to 154 units on Parcel 6 of Six Mile Creek North, subject to the overall limitation of a maximum of 754 MF units within the Six Mile Creek Parcel as a whole. No other density limitation shall apply provided the Developer complies with applicable setbacks and height limitations. Life care residential units shall be allowable within the MF parcels.

*** Five (5) SF/MF DUs may be developed within the PUD as SFE, SFC, PH, TH or MF units subject to the density limits of Table III.

The Developer anticipates a variety of unit sizes, configurations and prices within each of the residential categories listed above. The developer may or may not construct residential units. The developer does anticipate developing residential subdivisions within which lots will be sold to builders and the public.

2. Description of the Residential Types:

- a. **Single Family Estate Lots (SFE).** The SFE lots are intended to be the largest lots offered. The maximum allowable density is 3.2 development units per acre. These lots may be within a secured community. If security is provided, it will be provided through a property owners association having the authorization to assess each lot owner for the lot owner's share of the cost.

Each of these lots will be made available for construction of single family detached housing units with the traditional accessory uses. All other site development criteria shall be as specified in Section G below and on the Development Criteria Table attached as Exhibit 1.

Parcel 16 includes the 34.02 acre Recreational Parcel and is allowed six (6) single family units and recreation.

- b. **Single Family Conventional Lots (SFC).** The SFC lots are intended to accommodate the demand for moderately priced homes with fee simple ownership. The maximum allowable density is 5 development units per acre. These lots may be within a secured community. If security is provided, it will be provided through a property owners association having the authorization to assess each lot owner for the lot owner's share of the cost. The SFC lots will be made available for single-family detached housing units with the traditional accessory uses. Mobile homes, if allowed by an approved incremental Master Development Plan, will be required to have the appearance of a conventional home. All other site development criteria shall be as specified in Section G below and on the Development Criteria Table attached as Exhibit 1.
- c. **Patio Homes (PH).** The PH lots can be used for construction of attached or detached single-family homes with either fee simple or condominium form of ownership. The type of unit that will be allowed within a given development parcel will be specified in the incremental Master Development Plan for the development parcel. The maximum allowable density is 6 development units per acre. These lots may be within a secured community. If security is provided, it will be provided through a property owners association having the authorization to assess each lot owner for the lot owner's share of the cost. All other site development criteria shall be as specified in Section G below and on the Development Criteria Table attached as Exhibit 1.

- d. **Townhomes (TH).** The TH lots can be used for construction of attached or detached single-family homes with either fee simple, condominium or interval form of ownership. The type of unit that is allowed within a given development parcel will be specified in the incremental Master Development Plan for the development parcel. The maximum allowable density is 8 development units per acre. These lots may be within a secured community. If security is provided, it will be provided through a property owners association having the authorization to assess each lot owner for the lot owner's share of the cost. All other site development criteria shall be as specified in Section G below and on the Development Criteria Table attached as Exhibit 1.

Parcel 9 of the Six Mile Creek North Parcel, currently designated Townhome (TH) on the MDP Map, has available , in addition to the maximum allowable density of 8 development units per acre, residential ancillary recreational uses to be incorporated into the mixed residential uses that may include recreational facilities with a pool, clubhouse, or exercise facility.

- e. **Multi-family (MF).** The MF units may be owned by either fee simple, condominium or interval form of ownership the site development criteria for MF units shall be as specified in Section G below and on the Development Criteria Table attached as Exhibit 1. These units may be within a secured community. If security is provided, it will be provided through a property owners association having the authorization to assess each lot owner for the lot owner's share of the cost.

Parcel 6, currently designated MF allowing up to 154 residential units, has available up to 13,650 square feet of commercial development rights that may include a public spa with a pool, fitness club, and salon that offers to residents and to the public products and services such as hair, nail and beauty care, massage therapy and other products and services, and possibly alcoholic beverages. A service area offering food, beverages, newspapers and

publications, supplies and other retail and commercial products and services may be included. A retail store offering sundries and other retail items and supplies may be located on Parcel 6.

3. Traditional Development (TD):

All or any of Parcels 2 (SFC), 7(TH), 9(TH), 10(MF), 11(MF) and 15(TH) within Six Mile Creek South may be developed as a Traditional Development District (TD District). The maximum allowable density and the TD District development criteria is as specified in the Development Criteria Table as attached as Exhibit 1 and the Additional TD District Design Criteria attached as Exhibit 2 and Exhibits 3-A through 3-H (the "TD Design Criteria"). The waivers from the LDC necessary for the TD District are set forth in Section T below.

The TD District is envisioned to be one of the project's focal points. The project's theme and impressions will be communicated by its architecture, landmarks, function and location. The development criteria for this TD District is intended to allow for an evolution of uses, including residential and recreational uses and other community support facilities with ancillary amenities. The recreational facilities and concessionary sales and service provided in such facilities are accessory to the development and are not considered commercial. All parks, recreation areas and community centers may have accessory concessionary sales and services and rental facilities as well as administrative offices, public and community service facilities, and accessory maintenance and other ancillary facilities.

The Project will provide on street parking within the right-of-way that will comply with St. Johns County Paving and Drainage Ordinance No. 86-4. The TD District Design Criteria is presented as an overlay, which may be applied throughout the TD Parcels or portions thereof. Parcels 7, 9 and 15 within Six Mile Creek South may be developed with TD Design Criteria or with TH development criteria specified in Exhibit 1. Parcels 10 and 11 within Six Mile Creek South may be developed with TD Design Criteria or with MF development criteria specified in Exhibit 1. Parcel 2 may be developed with TD Design Criteria or with SFC development criteria specified in Exhibit 1.

Lots within the TD District may be owned by fee simple, condominium or interval form of ownership. The type of use that is allowed within a given development parcel will be specified in the

incremental Master Development Plan for the development parcel. These lots may be within a secured community. If security is provided, it will be provided through a property owners association or community development district having the authorization to assess each lot owner for the lot owner's share of the cost.

In accordance with St. Johns County Landscaping Ordinance No. 90-11, land clearing and tree removal (other than Specimen or Historic Trees) may occur for residential development lots in the TD District during the time of clearing for the rights-of-way regardless of grade change configuration of the lots or parcels. Trees, landscaping and irrigation improvements may be installed within private road rights-of-way.

F. **Non-residential Development:** There is a total of 16 acres of commercial development within the PUD, with 13,650 square feet of commercial development allocated to Parcel 6 of the Six Mile Creek North portion of the PUD. The total square footage within the commercial element of the PUD will be limited to 268,652 square feet. The commercial development allowable on Parcels 1 and 2 of SMC North is limited to 12,000 square feet per acre to be allocated based upon the acreage of each parcel (Parcel 1 at 10.42 acres = maximum of 125,046 square feet and Parcel 2 at 9.3 acres = maximum of 111,600 square feet). Any unused commercial square footage allocated to Parcels 1 or 2 may not be transferred to another parcel in the Six Mile Creek PUD. The recreational, educational, and civic land use acreage is discussed in Section D above.

1. Description of Commercial and Retail Uses: The development parcels identified as commercial on the MDP Map will provide for the retail needs of the residents within the development and surrounding areas, as well as the occupants of the industrial and office elements. The allowable uses within development parcels designated as commercial on the MDP Map include the uses permissible or permissible by exception in the commercial neighborhood and commercial general zoning districts contained in the St. Johns County Zoning Ordinance current as of March, 1998, except for the uses described in the following sections of the St. Johns County Zoning Ordinance which shall be prohibited:

Section 5.8.1(o)- Hotels, motels
Section 5.8.1(v) - Palmist, etc.
Section 5.8.4(i) - Mobile home

Schools with conventional academic curriculum, childcare or child nurseries and parks and recreation facilities with or without lighted fields and courts are also allowable uses pursuant to Ordinance 2005-95 approved on October 4, 2005.

The retail commercial facilities on the Six Mile Creek Parcel will be oriented to the needs of the residents of the Six Mile Creek Parcel and surrounding areas. The Commercial and Retail site development criteria is specified in Section G. below and on the Development Criteria Table attached as Exhibit 1.

2. Churches: Churches shall be allowed in any area designated for residential or civic use subject to incremental Master Development Plan provisions that ensure adequate ingress, egress and parking can be provided without adverse impacts to adjacent residential parcels.

G. Development Criteria: Except as otherwise specified in a final development plan, incremental Master Development Plan or building permit issued prior to the approval date of this modification of the Six Mile Creek PUD, the project development criteria, including the maximum density and intensity¹, shall be as set forth on the Development Criteria Table attached as Exhibit 1. Guesthouses shall be allowed within the Development Area consistent with the LDC, and subject to the setbacks specified on Exhibit 1. Home occupations consistent with the LDC shall be allowed.

1. Maximum Lot Coverage. The maximum lot coverage by buildings shall be measured in accordance with the definition of "coverage of a lot by buildings" contained in Article XII of the LDC, as follows:

Coverage of a Lot by Buildings: That percentage of Lot area that is or may be covered or occupied by Buildings. "Buildings" as used herein shall be defined in accordance with the definition of "building" contained in Article XII of the LDC, as follows:

Building: Any Structure, either temporary or permanent having a roof impervious to weather and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This definition shall include tents, awnings, cabanas, or vehicles situated on private property and serving in any way the function of a Building but does not include screened enclosures not having a roof impervious to weather.

2. Setbacks. The setbacks specified in this MDP Text are the minimum setbacks that are currently required under this PUD. In the event that the minimum setback requirements under the LDC are reduced, the setbacks required within the project may be

¹ The Development Table of Specific Condition A of the DRI/DO was approved by Resolution 2003-116.

reduced accordingly as allowed by the LDC. The residential setbacks for the project shall be as set forth on the attached Exhibit 1. The residential setbacks shall be measured to the foundation wall of the structure. Driveways may be located within the side, rear and front yard setbacks. The commercial setbacks shall be measured from the commercial parcel property line to the wall of the structure. The setbacks for accessory structures shall be as specified on the attached Exhibit 1. All building eaves, air conditioning equipment, electrical equipment, masonry walls or masonry fences, pools, swimming pools, pool decks and lap pool enclosures will not encroach into drainage and/or underground utility easements.

3. Minimum Lot Size. The minimum lot sizes are as specified on the Development Criteria Table attached as Exhibit 1. Other than for TD development, the single-family residential lot width area and Yard Requirements shall be in accordance with the following specifications of Section 6.01.03 of the LDC except as provided herein:

Lot Width Area and Yard Requirements

A. Lots, Measurement of Width

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 their 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 (25) feet.

B. Lot Frontage

1. On Interior Lots, the Front of a Lot shall be construed as the portion nearest the Street.
2. On Corner Lots, the frontage of a Lot shall be construed as the shortest boundary to a Street. If the Lot has equal frontage on two (2) or more Streets, frontage shall be determined by the County Administrator in accordance with the prevailing Building pattern, or the prevailing lot pattern, if a Building pattern has not been established.
3. On Through Lots, all portions adjacent to Streets shall be considered as a Front Yard for regulatory purposes.

C. Lot Yards; Methods of Measurement; Special Requirements

The following rules shall apply with regard to determinations of Yards on Lots:

1. Yards Adjacent to Streets

Required Yards adjacent to Streets shall be a minimum depth as prescribed in Section G.2 above with the depth measured as perpendicular to the Street Line and the rear line of the required Yard parallel to the Street Lot line.

2. Front Yards on Interior Lots

Front Yards on Interior Lots shall be constructed as extending between side Lot lines across the frontage of the Lot.

3. Front Yards on Corner Lots

Front Yards on Corner Lots shall be construed as extending across the Lot from each interior side Lot line to the opposite Street Line. For setbacks purposes, Corner Lots shall have one Front Yard; the other Front Yard shall be considered as a Rear Yard with a ten (10') setback.

4. Front Yards on Corner Through Lots

Front Yards on Corner Through Lots shall be construed as extending across the Lot from the interior side Lot line to a point at which the Front Yards meet. For setback purposes, Corner Through Lots shall have one Front Yard with a twenty foot (20') setback; the other Front Yard shall be considered as a Rear Yard with a ten foot (10') setback.

5. Interior Side Yards

Interior Side Yards shall be construed as running from the rear line of the required Front Yard to the front line of the Rear Yard, if required or, if no Rear Yard is required, to the opposite Lot line. The width of a required Side Yard shall be measured perpendicular to the side Lot line

and the inner line of the required Yard shall be parallel to such outer line, at the minimum distance therefrom as described above.

6. Interior Side Yards on Through Lots With More Than One (1) Front Yard

Interior Side Yards on Through Lots With More Than One (1) Front Yard shall be construed as running to the rear lines of the Front Yards involved, and measurements and requirements shall be as for interior side yards as set forth above.

7. Interior Side Yards on Corner Lots

On Corner Lots, the Side Yard is the Yard along any Interior Lot line which intersects with a Street Lot line. When a Corner Lot has four (4) sides, the two (2) sides not adjacent to the Streets are both Side Yards. If the Corner Lot has more than four (4) sides, the Yards along Interior Lot lines which do not intersect with a Street Lot line shall be considered Rear Yards and must meet the setback criteria set forth above for such Yards. In all cases the restrictions on maximum Lot coverage and maximum impervious area must be met.

8. Rear Yards

Rear Yards shall be construed as extending across the full width of the Lot at its rear, except as stated above. Required depth of Rear Yards shall be determined in the same manner as required width of interior Side Yards.

9. No Rear Yard Required on Corner Lots or Lots Providing Two (2) Front Yards

On Through Lots Providing Two (2) Front Yards, and on Corner Lots (except as stated above), there will be no required Rear Yard, and Yards other than those adjacent to Streets shall be construed as Side Yards, as stated above.

10. Administrative Waivers for Errors in Yard Measurements

If an error is discovered in the location of a Building or Structure relative to the minimum Yard requirements, the Property Owner, or their authorized representative, may file a request for an Administrative Waiver. The review of the request and the final decision shall be made by the County Administrator, and shall be made in conformance with the following criteria:

- a. Approval of the waiver shall not allow the Structure to exceed the required Yard setback more than ten percent (10%).
- b. The corresponding opposite Yard must be larger than required by the same distance as the waiver request (to insure that the waiver is not just an attempt to place a larger Building on the Lot) or the waiver request concerns an intrusion of only a small corner of the Building (such as a house too close to the front of a cul-de-sac Lot such that it violates the Side Yard requirements at the front corner but nowhere else.)
 - a. Any waiver request which does not meet paragraphs a and b. above shall be denied an Administrative Waiver and must comply with the Yard requirements or seek a Minor Modification pursuant to Part 5.03.05.B.8.

D. Special Yards

A Special Yard, for purposes of these regulations, shall be construed as a Yard other than adjacent to a Street, required to perform the same functions as a Side or Rear Yard, but adjacent to a Lot line so placed or oriented that neither the term "Side Yard" nor the term "Rear Yard," as generally determined, defined, or applied with respect to regular Lots, fits the circumstances of the case. In such instances, the Special Yard shall be considered a Rear Yard unless the County Administrator determines that Side Yard requirements for the PUD shall apply because of the relationship of the portion of the Lot or Lots, with due regard to the orientation of Structures and buildable areas thereon.

E. Permitted Projections Into Required Yards

1. Certain architectural features, such as eaves, bay windows, covered porches and projecting fireplaces, which may occupy a portion of a Building footprint, may

project not more than two and one half (2.5) feet into required Front and Rear Yards. Projections as defined in Section 6.01.03.H.1 of the LDC and Section T Waivers shall be allowed within any setback with a minimum seven foot (7') separation between eaves.

2. Mechanical equipment, such as air conditioning units, pumps, heating equipment, solar panels, and similar installations, and screening and housing for such equipment, may project into the required Side Yard(s) or Rear Yard(s) but shall not be located within five (5) feet of any property line, and may not project into the required Front Yard.
3. Covered Patios and Covered Pools
 - a. Covered Patios, Covered Pools, and similar Structures, as defined in Article XII of this Code, may intrude no more than five (5) feet into the required Rear Yard and shall not intrude into the required Side or Front Yards except as listed in Section E.1, E.4 below and in Section T Waivers. In no case shall the permitted intrusion of the Covered Patio, Covered Pool, or similar Structure reduce the Yard provided to less than five (5) feet.
4. For Through Lots, a Covered Patio may intrude thirteen (13) feet into the required Front Yard which functions as a Rear Yard and has no access to a Street. In no case shall the permitted intrusion of the Covered Patio reduce the Yard provided to less than ten (10) feet.

F. Minimum Lot Dimension

The minimum dimension of the buildable Lot shall not be less than the required minimum Lot width at the Front Yard. In the case of Lots not meeting the minimum dimension at the minimum required Front Yard defined in this Section G.3, the Front Yard shall be extended to the point at which the minimum dimension is met.

4. Height Restrictions. When two or more uses will occupy the same building, and the height limit for those uses are different, the greater height will be allowed.² The maximum building height for all

² This sentence was approved by Resolution 96-009.

buildings for each of the land use categories shall be as specified in the Development Criteria Table attached as Exhibit 1.

5. Parking. Parking for a minimum of two vehicles shall be provided outside of the public right-of-way within the driveway or garage of each detached residential unit. Parking to be provided within the TD development will be as specified in the Additional TD District Design Criteria attached as Exhibit 2. Sufficient parking to serve any model homes or sales offices will be located on adjacent stabilized lots until the model homes/sales offices have been sold or upon subdivision buildout. All parking and interconnecting sidewalks will comply with the requirements of the Americans with Disabilities Act and the St. Johns County LDC. Parking for the commercial/retail shall comply with the requirements of Table 6.17 of the LDC. Shared and offsite parking shall be allowed within the commercial development areas. Two (2) parking spaces per unit will be provided for MF development.
6. Fencing. Fences, walls and hedges are allowed along the edge of front, side and rear property lines, provided that no fence, wall or hedge is greater than six (6) feet in height (measured from the established grade on either side of the fence, wall or hedge), nor obstructs the view of approaching traffic in each direction. Fences, walls or hedges may be constructed on the front property line except that no fence, wall or hedge in excess of four (4) feet in height shall be allowed within twenty-five (25') feet of the front property line. Such fences, walls and hedges will comply with the Roadway, Drainage and Utility Standards of Part 6.04.00 of the LDC. Corner lots, lots with two or more front yards, or through lots are allowed a fence, wall or hedge with a maximum height of six (6) feet within the second front yard as provided in Section 2.02.04.B.12.b of the LDC. Fences, walls, railings and other embellishments associated with entry features and property boundary markers are allowed in accordance with the approved World Golf Village Gateways and Signage Design Standards Unified Signage Plan on file with the St. Johns County Planning and Zoning Departments (the "Unified Signage Plan").
7. Signage. The signage for the project, including the Added Lands and the TrailMark Recreational Parcel, will be in accordance with the Unified Signage Plan and the provisions of Ordinance 2003-6 that was approved by St. Johns County on January 28, 2003 and recorded at PUD Book R, Page 426 of the public records of St. Johns County, Florida.
8. Land Clearing and Development. Permanent construction under an incremental Master Development Plan may commence when the

applicant has obtained the necessary local, state, and federal permits, and has obtained Development Services Department approval of signed and sealed construction plans, as required. Construction may be approved in stages subject to the condition that all local, state and federal permits or approvals required for the stage of development sought to be commenced have been obtained. Specifically, the Development Services Department may approve filling and grading of any portion of the property, except areas designated preservation, subject to the approval of plans for such activities. Such filling and grading may include the removal of unsuitable soils (including the stockpiling of such soils on-site) as well as the filling and compaction of soils within the golf course site, residential development areas and the roadways. Further, when approval for permanent construction is requested, the existing property conditions, prior to filling and grading, will be used to establish pre-development condition for drainage analysis. Permanent construction may be phased provided the total permitted development is not exceeded, and applicable County and other permit requirements can be met at each phase of development. Land clearing, site preparation, and lake construction within the lakes, roadways, golf course and the residential development areas depicted on the MDP Map may be commenced prior to final paving and drainage plan approval, provided approval for such activity has been obtained from the Development Services Department, and all applicable local, state and federal permits have been obtained. All permanent construction shall require review and approval of signed and sealed construction plans by the Development Services Department. Pursuant to Section 6.04.09.A.7, the recreational pond is a Lake Creation and is exempt from Land Excavation and Borrow Areas, including Section 2.03.10, St. Johns County Land Development Code.

H. Infrastructure

1. Stormwater. The surface water management systems for the PUD shall comply with the terms and conditions of the DRI/DO and applicable St. Johns River Water Management District permits.
2. Vehicular and Pedestrian Access/Interconnectivity. The main accesses to the project are from State Road 16, County Road 13-A (Pacetti Road) and County Road 13 as shown on the MDP Map. The MDP Map depicts the configuration of the parcels within the PUD and the vehicular circulation system, and shows all points of connection with public rights of way including internal access and circulation within the PUD. All of the arterial streets shown on the MDP Map for the PUD will be accompanied by a bicycle path or a sidewalk. The vehicular and pedestrian circulation systems within development parcels shall be subject to review and approval by St. Johns County in connection with incremental Master

Development Plan review. Access to the outparcel located within Parcel 6 of Six Mile Creek South will be provided through Parcel 6, the location of which will be shown on an incremental MDP for Parcel 6. All roads, streets and parking areas shall conform to the design standards specified in the St. Johns County Paving and Drainage Ordinance in effect as of August 1990, unless a proposed deviation is approved by St. Johns County in connection with approval of an incremental Master Development Plan. Gated communities are allowed within the PUD.

In connection with the development of Parcel 9, Six Mile Creek West, the Developer shall construct a local road within a 60-foot right-of-way from the northwesterly corner of Parcel 9, Six Mile Creek West, to the existing right-of-way of State Road 16. This road shall serve as an emergency access until and unless St. Johns County or the Florida Department of Transportation obtains sufficient additional right-of-way for State Road 16 at the intersection of the local road and State Road 16 to accommodate acceleration, deceleration, and turn lanes required by applicable St. Johns County and FDOT requirements. In the event that such additional right-of-way is acquired prior to buildout of the Saint Johns Development of Regional Impact then, in such event, the Developer shall connect the local road to State Road 16 and construct any required acceleration, deceleration, and turn lanes at its expense. The intersection improvements shall be commenced within 180 days after receiving notification from St. Johns County that the necessary right-of-way has been obtained and shall be completed within one year after commencement.

Vehicular access to the Added Lands Parcel will be provided through Parcel 16, internal to Six Mile Creek South.

Vehicular access to the TrailMark Recreational Parcel will be provided through Parcel 16, internal to Six Mile Creek South. As shown on the MDP Map, an access easement meeting Sections 6.02.01.B.3 and 6.04.07.B or other access way consistent with the LDC will be provided from Parcel 20 to the existing single family home on the adjacent parcel.

3. Parks, Recreation and Other Amenities. The recreational uses planned for the Six Mile Creek Parcel are identified on the MDP Map and include one 18-hole golf course with associated golf club, golf maintenance facilities and other similar support facilities within Six Mile Creek North. The golf clubhouse may include a pro shop, a restaurant and lounge area that may serve alcohol and other similar accessory uses. The recreational amenities also include 31.5 acres of parks. One or more swim and tennis centers may also be provided that may include a proshop, restaurant and lounge area that may serve alcohol and other similar accessory uses. Clubhouse amenities within the King and the Bear golf course with up to 18,362 Commercial square feet is allowable.

The neighborhood parks may be conveyed to a property owners association or appropriate governmental entity. The neighborhood parks

will be available for use by members of the associations who pay applicable fees. The golf, swimming and tennis facilities may be operated as commercial facilities or as a private club.

In addition, in connection with the Saint Johns DRI Application, the developer has conveyed the 455-acre Turnbull Creek Parcel to St. Johns County for preservation and active recreation. Approximately 69 acres of the Turnbull Creek Parcel are proposed for development by St. Johns County into an urban park. Approximately 4.1 acres of trail roads through the preservation area could be used by St. Johns County for hiking and other similar uses. The balance of the 455 acres shall be preserved in its natural state for environmental purposes but will be available to the public for uses consistent with environmental preservation.

The TrailMark Recreational Parcel located within Parcel 16 is a low impact, water based destination to compliment the existing recreation program within TrailMark (Six Mile Creek South PUD). An approximately ten (10) acre pond will be created to offer passive recreation opportunities including an eight (8) foot wide shoreline trail that connects to the Six Mile Creek South pedestrian network within Parcel 16. Other allowable Outdoor Passive Uses include nonmotorized boat launches, nature based activities and the allowed uses, as defined in the Land Development Code.

Construction of the recreation pond will be commenced within one (1) year of the effective date of the Ordinance approving PUD modification MAJMOD 2023-05. Construction of the pond will occur Monday-Saturday, 7am to 7 pm, excluding Sunday and any federal holiday. Commencement is defined as approval of construction plans through St. Johns County. Recreation pond construction will occur over a period of two (2) years from the date of commencement. Completion of pond construction is defined as approval of As-Built Survey. These time periods may be modified consistent with state law (e.g. Section 252.363, Florida Statutes).

4. Potable Water/Sanitary Sewer. Water and sewer service will be provided by the St. Johns County Utility Department. The Developer of the project, Northwest Utilities II, Inc. and St. Johns County entered into the Six Mile Creek Water and Wastewater Connection Fee Reimbursement Agreement dated January 29, 1999 (the "Agreement") for the provision by St. Johns County of water and wastewater services as described in the Agreement through buildout of the project.
5. Fire/Emergency Service Protection. Fire and Emergency Service protection will be provided by St. Johns County and shall comply with the LDC, except as specified herein. The water distribution system, including fire hydrants, will be of adequate size and design to meet the

requirements of Section 6.03 of the LDC. All new development constructed after the approval of this PUD Major Modification Application will meet the requirements of the most current edition of the Florida Fire Prevention Code as adopted by the State of Florida.

6. Solid waste. Solid waste collection will be provided by the County-contracted waste collection company.
7. Utilities. All electrical and telephone lines will be installed underground on the site. Electrical power will be provided by FloridaPower & Light.
8. Ownership and Maintenance of Common Facilities. All common facilities located within the PUD for the common use and benefit of the property owners such as roads, drainage facilities and common open space shall initially be owned by the developer and shall be operated and maintained by one or more mandatory property owners associations having the power to assess property owners or by an appropriate governmental entity. Appropriate association documents and the relevant portions of covenants and restrictions will be submitted for review and approval at the time of incremental Master Development Plan submission.

I. **Potable Water/Sanitary Sewer Use:** Water and sewer service will be provided by St. Johns County in accordance with the Agreement discussed in Section H.4 above. The water and sanitary sewer use was addressed and reviewed under the Original DRI Application.

- A) 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.
- B) Utility connection points shall be installed as listed in the availability letter or as directed otherwise by the St. Johns County Utility Department to minimize impact to the existing infrastructure or to the existing level of service.
- C) New water and/or sewer lines that are to be dedicated to the St. Johns County Utility Department for ownership that are not in public right-of-way shall require an easement/restoration agreement.
- D) No new 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 SJCUD. New landscaping trees and landscaping buffers shall be placed at a minimum of 7.5 feet away from the centerline of utility pipelines.

The utility requirements outlined in Subsections A through D above shall only be applicable to new future development constructed after the approval of this PUD

Major Modification and shall not be retroactive to existing infrastructure or development within the PUD.

- J. **Soils:** The type and suitability of the underlying soils for the project were included and previously reviewed under the original DRI Application and applicable modifications and/or land use approvals. The type and suitability of the underlying soils for the TrailMark Recreational Parcel were included and previously reviewed under the Large Scale Land Use Amendment, adopted by Ordinance 22-45.
- K. **Site Vegetation:** The type and extent of upland forest and wetlands on the Project was included and previously reviewed under the original DRI Application and applicable modifications and/or land use approvals. Analysis of the site vegetation for the TrailMark Recreational Parcel were included and previously reviewed under the Large Scale Land Use Amendment, adopted by Ordinance 21-45.
- L. **Significant Natural Communities Habitat:** The type and extent of significant natural communities habitat on the project was included and previously reviewed under the original DRI and applicable modifications and/or land use approvals. Analysis of the Significant Natural Communities Habitat for the TrailMark Recreational Parcel was included and previously reviewed under the Large Scale Land Use Amendment, adopted by Ordinance 21-45. The November 2022 Environmental Report includes a finding of Xeric Hammock, a habitat classified by St. Johns County as Significant Natural Community, occurring within the project site. Development within the TrailMark Recreational Parcel will comply with the LDC requirement to preserve at least ten (10%) of such habitat measured within this parcel, generally in the location shown on the Incremental Master Development Plan.
- Listed Species:** The type and extent of any listed species as defined by the LDC within the project was included and previously reviewed under the original DRI Application and applicable modifications and/or land use approvals. Analysis of listed species for the TrailMark Recreational Parcel was included and previously reviewed under the Large Scale Land Use Amendment, adopted by Ordinance 21-45. The November 2022 Environmental Report includes a field observation of gopher tortoise burrows within the project site. Development within the TrailMark Recreational Parcel will comply with any applicable permitting and relocation required for any tortoise or burrows that may be impacted.
- M. **Historic Resources:** The type and extent of any Historic Resources as defined by the LDC was included and previously reviewed under the original DRI Application and applicable modifications. Analysis of historic resources for the TrailMark Recreational Parcel was included and previously reviewed under the Large Scale Land Use Amendment, adopted by Ordinance 21-45.
- N. **Buffering and Landscaping:** The buffers and landscaping plan for

the project was reviewed and approved in the original DRI Application and applicable modifications and will be provided in accordance with Developer Commitment 41 and Specific Condition F of the DRI/DO. A 50-foot average width natural vegetative buffer shall be provided within the Philpott and Lambert Outparcels that were incorporated into the PUD under Ordinance 2004-44 in compliance with Policy E.2.2.5 of the St. Johns County Comprehensive Plan. A thirty-five (35') Development Edge is shown along the perimeter boundary of the TrailMark Recreational Parcel, and a twenty-five (25') average undisturbed buffer is located adjacent to the preserved wetland within the TrailMark Recreational Parcel. Landscaping will comply with the Vesting Determination, dated February 19, 2004.

- O. **Special District:** This PUD is not located within a Special District as defined by the LDC.

- P. **Temporary Uses:** Accessory structures, including uncovered decks and patios, shall be allowed within the PUD as per Section 2.02.04 of the LDC. Development of this site and construction of the improvements may require temporary uses such as construction trailers, sales offices or trailers, temporary signage or temporary access. Temporary improvements will be shown on construction plans. Temporary sales and construction trailers and other temporary improvements may be moved throughout the project as necessary and shall be removed from a lot or parcel before any improvements on such lot or parcel receive a certificate of occupancy from the County. The temporary office or trailer shall be allowed to remain on site for a period of five (5) years commencing from the start of construction. Parking shall be provided for the temporary sales trailer or office and construction trailer(s) in a temporary, defined, paved or unpaved lot within the driveway apron outside of the right-of-way, which meets the requirements of the LDC. 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 one sign each, located on the lot. No individual non-builder lot sales may occur prior to recording a plat. As allowed by the LDC, model homes may be constructed by the Developer or by builders prior to platting. Model homes must be located on a residential lot shown on the approved Master Development Plan. Model homes shall not equal more than 10% of the total number of lots approved under an approved development permit. No certificates of occupancy shall be released until as-builts have been approved by the County and a final plat has been recorded. Temporary signage shall be allowed within the project in accordance with the approved Unified Signage Plan for the project.

- Q. **Accessory Uses:** Accessory uses and structures, including decks and patios, shall be allowed as provided for in Section 2.02.04 of the LDC 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. The setbacks for accessory uses are set forth on the attached Exhibit 1. Accessory uses, such as home offices, pets, etc. will be allowed as per the requirements for residential districts stipulated within the LDC. No air conditioning or electrical equipment, swimming pool or swimming pool deck, or pool enclosures will be located within any drainage easement boundaries. Fencing shall be allowed as provided in Section G.5 above.

- R. **Phasing and Commencement of Construction:** As established in Specific Condition A of the DRI/DO, the project will be constructed in one phase over a period that commenced in 1995 and runs to build-out on May 21, 2040³ as may be amended by state law.

The Developer shall be allowed to develop any portion of the project at any time so long as all applicable DRI Development Order conditions have been met.

As defined in the Intended Plan of Development approved by Ordinance 91-37, development was timely commenced with commencement of construction of the interchange at 1-95 and International Golf Parkway.

³ The change in phasing was approved by Resolution 96-019. The Development Table of Specific Condition A was approved by Resolution 2003-116. Additionally, the PUD and the DRI phasing, buildout, termination, downzoning protection and associated mitigation dates have been extended to as a result of the legislative extensions provided under Section 252.363, Florida Statutes, and Executive Orders: 17-146, 17-177, 17-178, 17-230, 17-285, 17-329, 18-47, 18-110, 18-177, 18-235 and 18-279 (Opioid); 16-29, 16-149, 16-193, 16-233, 16-288, 17-43, 17-115, 17-166, 17-211 and 17-260 (Zika); 17-259, 17-304, 18-17, 18-80, 18-135, 18-214, 18-236 and 18-281 (Hurricane Maria); 18-150 and 18-157 (Subtropical Storm Alberto); 18-253 (Hurricane Florence); and 19-189, 19-190 and, 19-206, 19-234, 19-281, 20-43 and 20-106 (Hurricane Dorian) and 20-195, 20-181 (Hurricane Isaias) and 20-52, 20-114, 20-166, 20-213, 20-276, 20-316, 21-45 and 21-94 (COVID-19). As a result of these extensions, the PUD and ORI phasing, buildout, termination and downzoning protection dates are May 21, 2040 and any associated mitigation dates are likewise extended consistent with Sections 252.363 and 380.06(7), Florida Statutes. This date incorporates the prior emergency extensions set forth in Resolution 2017-117 and the Saint Johns DRI biennial report for the period January 16, 2016 - January 15, 2018.

- S. **Project Impact:** The impact of the project was addressed and reviewed under the original DRI Application and applicable modifications and/or land use approvals.
- T. **Waivers:** The following waiver, variance or deviation from the LDC was approved under Resolution 2004-44 and is incorporated into the PUD:

Section 5.03.03.B.2 to eliminate parking areas from the Commercial setback requirements. This waiver is justified because many of the Commercial Parcels within the DRI have been

approved and developed with less than 20' setbacks from the rights-of-way to parking areas and the developer wishes to continue with the same plan of development that was established for this DR long ago. A 20' setback should not now be required within this PUD given the substantial amount of open space already provided. In addition, there is no setback requirement for parking areas imposed within straight Commercial Zoning Districts. The developer will comply with the requirements of the LDC for landscaping the Commercial parking areas.

The following waiver, variance or deviation from the LDC is incorporated into the PUD:

Section 6.01.03.H. Permitted Projections into Required Yards to clarify covered porches are included in the list of architectural features permitted to project into the required Front and Rear Yards. Such projection is limited to the LDC standard of no more than three (3) feet into the required Front, Side and Rear Yards and is measured to the furthest projection of the architectural element. This waiver is justified because porches are key architectural features representing the entry way to a building and create the primary façade. In addition, all requirements of the most current adopted Florida Fire Prevention Code will be met.

Additional Waivers for TD Development:

Additional waivers, variances or deviations are requested from the LDC and from Ordinance 86-4 and Ordinance 90-11 for the TD District that may be developed within Parcels 2, 7, 9, 10, 11 and 15 of Six Mile Creek South.

The waivers are justified because although the St. Johns County Comprehensive Plan supports and promotes creative design concepts such as TD, Ordinance 86-4, 90-11 and the current Land Development Code do not address specific design criteria necessary to implement TD development. Therefore, the waivers enumerated below are required to successfully implement TD criteria within Six Mile Creek South. The waivers are essential in developing a pattern and character associated with this type of development, and to implement the following goals and concepts of TD development:

- To develop pedestrian oriented streets, smaller lot sizes and house placements closer to the street that all reduce the quantity of paved surfaces and high-maintenance individual landscapes found in typical suburban neighborhoods.
- To create a walkable community with a public realm while

- accommodating the residents' need for private space.
- To develop a discernable town center with a network of streets that promotes multiple vehicular choices.
- To develop open space that is easily accessible by the pedestrian as integrated into the community.
- To develop a system of streets that has a direct relationship to the proposed architecture, pedestrian and vehicular circulation.
- To develop streets and spaces that use the environment to promote comfortable microclimates.
- To develop efficiently, by promoting density that is appropriate for all uses, living, recreation and circulation.
- To create more sustainable development that preserves open space and increases infrastructure efficiency.
- To allow traditional "main street" store fronts where retail shops inhabit the ground floor with residential use located in the building above.

The waivers requested for the TD development from St. Johns County (Paving and Drainage) Ordinance 86-4, St. Johns County (Landscape) Ordinance 90-11 and the current St. Johns County Land Development Code are as follows:

1. **Section 7 - Ordinance No. 86-4 (Right of Way and Road Classification).** This waiver is requested to allow for the right-of-way widths for Arterial Streets with curb and gutter to be reduced from the 100 feet (100') required under Ordinance No. 86-4 to 80 feet (80'). The waiver is justified because the required infrastructure and pedestrian and vehicular circulation can be accommodated within an 80-foot (80') right of way.
2. **Section 7 - Ordinance No. 86-4 (Right of Way and Road Classification).** This waiver is requested to allow for driveways of all residential types to be constructed as 20 feet (20') for front loaded product and fifteen feet (15') for alley loaded product from the edge of the driveway to the right-of-way. This waiver is justified because the smaller lot sizes necessary for TD development will not accommodate greater separation between driveways and rights-of-way.
3. **Section 8 - Ordinance No. 86-4 (Minimum Surface Course Width).** This waiver is requested to allow for the surface course width for Marginal Access Roads and Minor Streets to be reduced from forty feet (40') in width to thirty-six feet (36') in width. This reduction is requested to allow for consistency with the goals of TD patterns and is consistent with current development patterns and trends.
4. **Ordinance No. 86-4 (Typical Curb Details).** This waiver is

requested to allow for the following curb types: 6" raised ribbon curb, flush header curb, 18" low profile curb and gutter (Miami Curb) and 18" wide curb and gutter. The curb and gutters shall match the curb and gutter configurations as specified in the St. Johns County Standards and detail Manual (Resolution 2001-66) Detail 112A. The location of the requested curb types will be shown on the applicable incremental Master Development Plans. The waiver is justified because it allows for development of road sections that promote buildings with close proximity to travel lanes and maximize traffic calming techniques required in TD design patterns.

5. **Sections 2.02.04.B.2 and 4 of the LDC.** This waiver is requested to allow guest houses to exceed the height of the main structure. It is possible that the guest house structure will exceed the height of the main structure. This waiver will allow single story principal structures and detached garages with living area that may have a greater height than the main structures. This waiver is justified because it promotes the efficient use of land by allowing the construction of guest houses within the primary lot. The guest house will not exceed the height limitation for the applicable residential area.
6. **Section 2.02.04.B.5 and 2.02.04.C.3 of the LDC.** This waiver is requested to allow setbacks for mechanical equipment (such as air conditioning units and pads, heating equipment, solar panels, pool pumps, utility meters and similar installations, and servicing and housing for such equipment) to be 2 feet (2') from the property line. A minimum of 6 feet (6') shall be maintained between the mechanical equipment on one lot and the equipment on the adjacent lot and between equipment on the same lot to serve the main structure and guest homes and garages (other than multiple unit groups serving the same structure). All equipment will be located outside of drainage and utility easements and within rear and side yards only. In order to accomplish the creative design in the TD District, it is necessary to have flexibility with respect to the location of accessory uses and mechanical equipment.
7. **Section 5.03.03.8.1.a, b, d and e of the LDC.** This waiver is requested in residential areas within the TD District to allow reduction in front and side yard setbacks and setbacks for Accessory Structures and to eliminate the requirement for a wall, fence, landscaping or landscaped berm along Arterial Streets or Major Collectors and Collector Streets. The Development Criteria Table attached as Exhibit 1 lists the various minimum front and side yard setbacks and setbacks

for Accessory Structures. On front loaded product with front facing garages, garages shall be setback 20 feet (20') from the right-of-way line. This waiver is justified because the reduced setbacks are necessary to implement traditional neighborhood design concepts. In addition, the elimination of a wall, fence, landscaping or a berm allows for building to have a close relationship with the street as completed in TD design concepts.

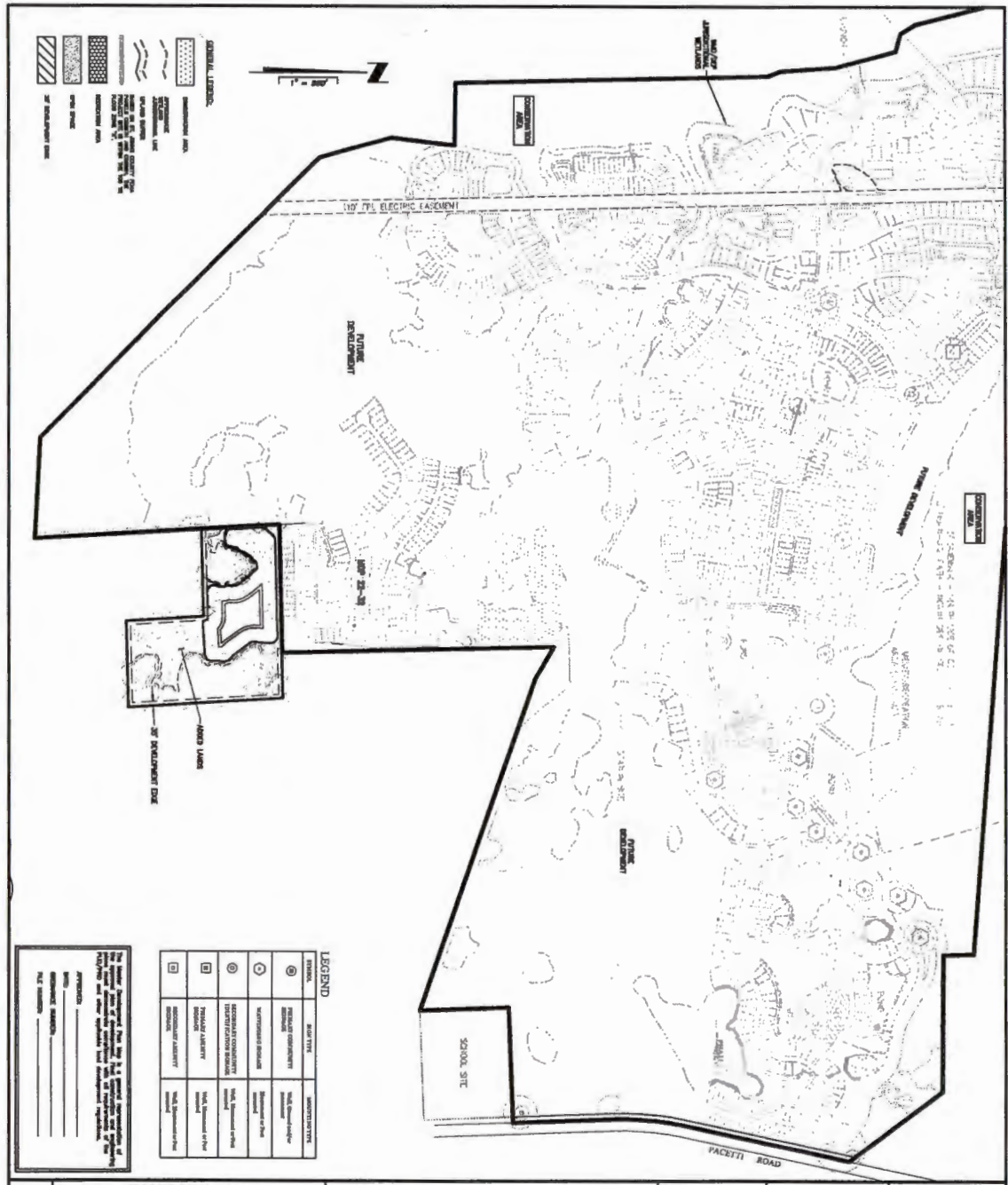
8. **Section 6.01.3.H.** This waiver is requested to allow canopies and balconies to overhang the yard setbacks. This waiver is justified because the presence of canopies, balconies and other "overhanging facilities" is inherent in traditional neighborhood design concepts. A minimum vertical clearance of 10 feet (10') will be maintained above all pedestrian use areas and utility and drainage easements. A minimum vertical clearance of 18 feet (18') must be maintained above any vehicle use area. The minimum horizontal clearance between adjacent overhanging structures will be 15 feet (15'). If canopies or other projections intrude on a setback, there will be maintenance easements provided where projections extend over the property line. The owner or tenant of each building to which a canopy, balcony or other "overhanging facility" is attached shall be responsible for maintaining the overhanging utility. If there are multiple overhanging facilities in a multi-tenant or multi-family building, the building owner or tenant or an applicable property owners' association shall be responsible for such maintenance.
9. **Section 6.02.02.B.** This waiver is requested to allow medians, islands, plazas and other recreational open space to be designated as parks. This waiver is justified because the innovative neighborhood design proposed for the project will include a number of creative passive park concepts. Safe access to all parks shall be demonstrated at the time of construction plan review. Appropriate means will be taken to assure safe access to the median park and will include crosswalks or signage.
10. **Section 6.03.01.** This waiver is requested to the requirement that all Structures with less than a ten (10) foot separation between Structures have automatic fire sprinkler systems or the required fire hydrants must provide an additional 1000 gpm for two (2) hours over the standard flow requirement of Section 6.03.03. This waiver is justified because a seven (7) foot separation between Structures was approved for the PUD under Resolution 2003-56, and smaller

separation between Structures is consistent with traditional neighborhood design development patterns that allow for denser, more compact and efficient development and use of land. In addition, all requirements of the Florida Fire Prevention Code (2004) will be met.

- U. **Ownership/Agreement:** All successors in title to the Property shall be bound to the conditions of the approved PUD.

Relationship To DRI Development Order: All terms and conditions of the Saint Johns DRI Development Order applicable to the Six Mile Creek and Turnbull Creek Parcels shall be deemed to be terms and conditions of this PUD, except as to the TrailMark Recreational Parcel. In the event of a conflict between the terms of this PUD and the terms of the DRI Development Order, the terms of the DRI Development Order shall control.

- V. **Future Land Use Designation:** The entire PUD boundary is located within the DRI designation, Residential A ,Residential C designations and Rural Silviculture on the Comprehensive Plan Future Land Use Map. The total upland and wetland acreage within the PUD is addressed in Section C above.



- LEGEND**
- FUTURE DEVELOPMENT
 - SCHOOL SITE
 - TRAILMARK RECREATION POND
 - 100 FT. ELECTRIC EASEMENT
 - WATER LINE
 - SEWER LINE
 - GAS LINE
 - EASEMENT
 - BOUNDARY
 - PROPERTY LINE
 - RIGHT OF WAY
 - ROAD
 - UTILITY LINE
 - OTHER

NOTES:

1. All dimensions are in feet and inches.
2. All areas are to be shown on the final plan.
3. All areas are to be shown on the final plan.
4. All areas are to be shown on the final plan.
5. All areas are to be shown on the final plan.
6. All areas are to be shown on the final plan.
7. All areas are to be shown on the final plan.
8. All areas are to be shown on the final plan.
9. All areas are to be shown on the final plan.
10. All areas are to be shown on the final plan.

LEGEND

SYMBOL	DESCRIPTION	NOTES
	TRAILMARK RECREATION POND	SEE PLAN FOR DETAILS
	SCHOOL SITE	SEE PLAN FOR DETAILS
	FUTURE DEVELOPMENT	SEE PLAN FOR DETAILS
	100 FT. ELECTRIC EASEMENT	SEE PLAN FOR DETAILS
	WATER LINE	SEE PLAN FOR DETAILS
	SEWER LINE	SEE PLAN FOR DETAILS
	GAS LINE	SEE PLAN FOR DETAILS
	EASEMENT	SEE PLAN FOR DETAILS
	BOUNDARY	SEE PLAN FOR DETAILS
	PROPERTY LINE	SEE PLAN FOR DETAILS
	RIGHT OF WAY	SEE PLAN FOR DETAILS
	ROAD	SEE PLAN FOR DETAILS
	UTILITY LINE	SEE PLAN FOR DETAILS
	OTHER	SEE PLAN FOR DETAILS

INCREMENTAL MASTER DEVELOPMENT PLAN

TRAILMARK RECREATION POND
 WITHIN SIX MILE CREEK POND (61-47, AS AMENDED)
SIX MILE CREEK VENTURES, LLC



Engineered-Thinks & ITWiser, Inc.
 14775 Old St. Augustine Road
 Jacksonville, FL 32258

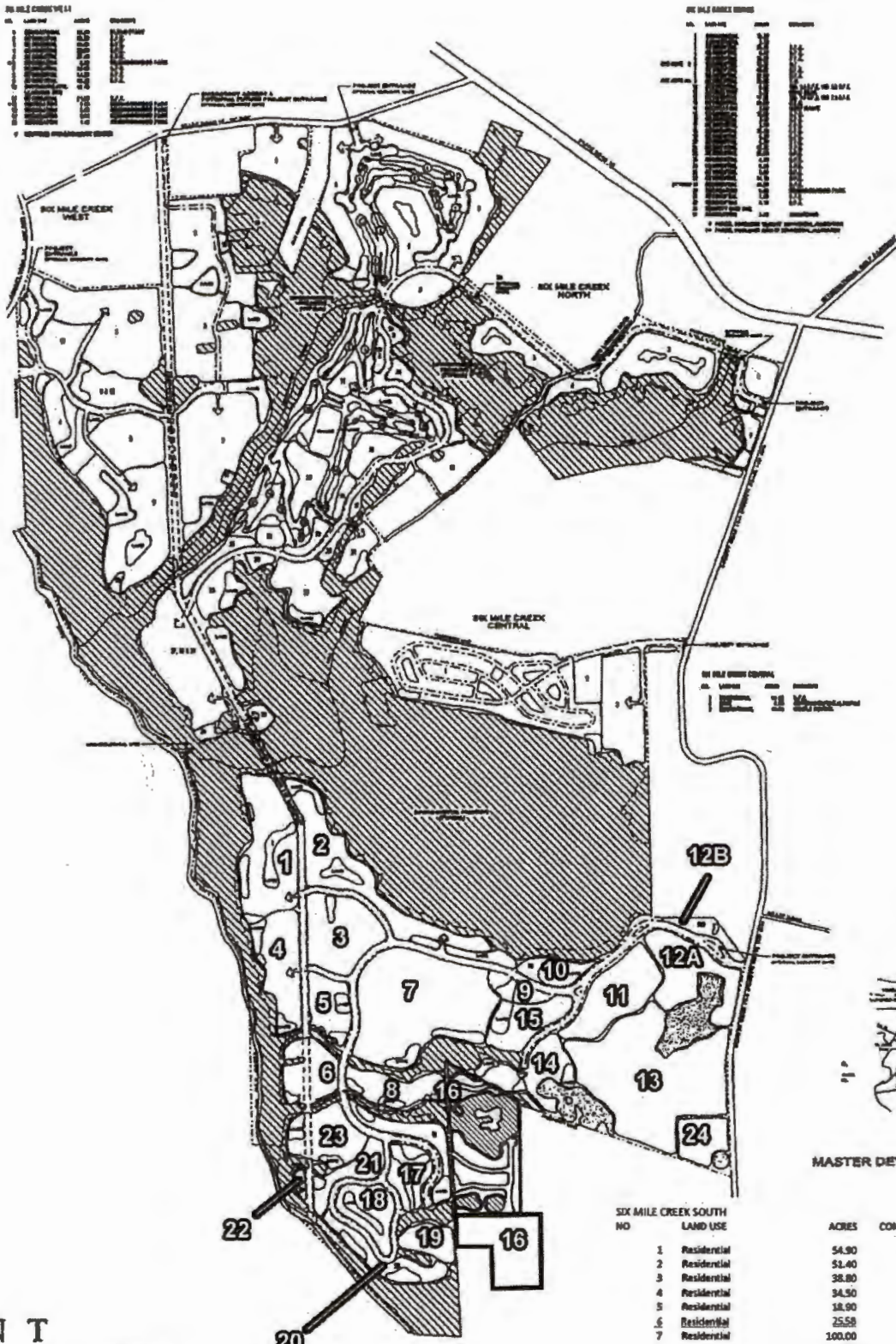
TEL: (904) 842-8000
 FAX: (904) 848-0885
 CA - 8003284 LC - 0080710

ETM NO. 23-444

REVISIONS:
 Δ 3/8/23 REVISED TO ADDRESS EJC COMMENTS.

DRAWN BY: D.S.B.
 DESIGNED BY: S.A.W.
 CHECKED BY: S.A.W.
 DATE: DECEMBER, 2023

PLANS PREPARED UNDER THE DIRECTION OF:
 SCOTT A. WILD, P.E.
 P.E. NUMBER: 47030



**MAP H
MASTER DEVELOPMENT PLAN
SIX MILE CREEK PARCEL**

Land Use Key

[Symbol]	COMMERCIAL
[Symbol]	LOW DENSITY RESIDENTIAL (R-1)
[Symbol]	MEDIUM DENSITY RESIDENTIAL (R-2)
[Symbol]	TOWNHOME (P.T.H.)
[Symbol]	PATIO HOME (P.H.)
[Symbol]	SINGLE FAMILY DETACHED (R-1.5)
[Symbol]	APARTMENT / DUPLEX (R-1.5)
[Symbol]	COMMERCIAL / RESIDENTIAL
[Symbol]	GOVERNMENTAL / PUBLIC

The location, configuration, acreages and use of development parcels, golf course, roads, lakes, etc. are conceptual in nature and subject to further refinement upon submission of site plans.

SIX MILE CREEK SOUTH NO	LAND USE	ACRES	COMMENTS
1	Residential	54.90	
2	Residential	51.40	
3	Residential	38.80	
4	Residential	34.50	
5	Residential	18.90	
6	Residential	25.58	
7	Residential	100.00	
8	Residential	20.90	
9	Residential	8.70	
10	Residential	12.70	
11	Residential	35.90	
12A	Residential	35.10	
12B	Residential	8.30	
13	Residential	107.90	
14	Residential	25.90	
15	Residential	22.20	
16	Residential	121.25	
17	Residential	17.20	
18	Residential	20.40	
19	Residential	12.10	
20	Residential	17.80	
21	Residential	15.20	
22	Residential	2.90	
23	Residential	27.80	
24	Educational	18.50	ELEMENTARY

**EXHIBIT "B"
MAP H-PAGE 2**

SAINT JOHNS
A ST LAND ASSOCIATES, L.L.C. DEVELOPMENT

ST. JOHN'S DEVELOPMENT INC.
14150 W. 10TH AVE., SUITE 100
DENVER, CO 80231

SAINT JOHN'S DEVELOPMENT
14150 W. 10TH AVE., SUITE 100
DENVER, CO 80231

Note: All parcels may contain community or neighborhood parks. (A minimum of 16.5 acres of parks/recreation will be provided).

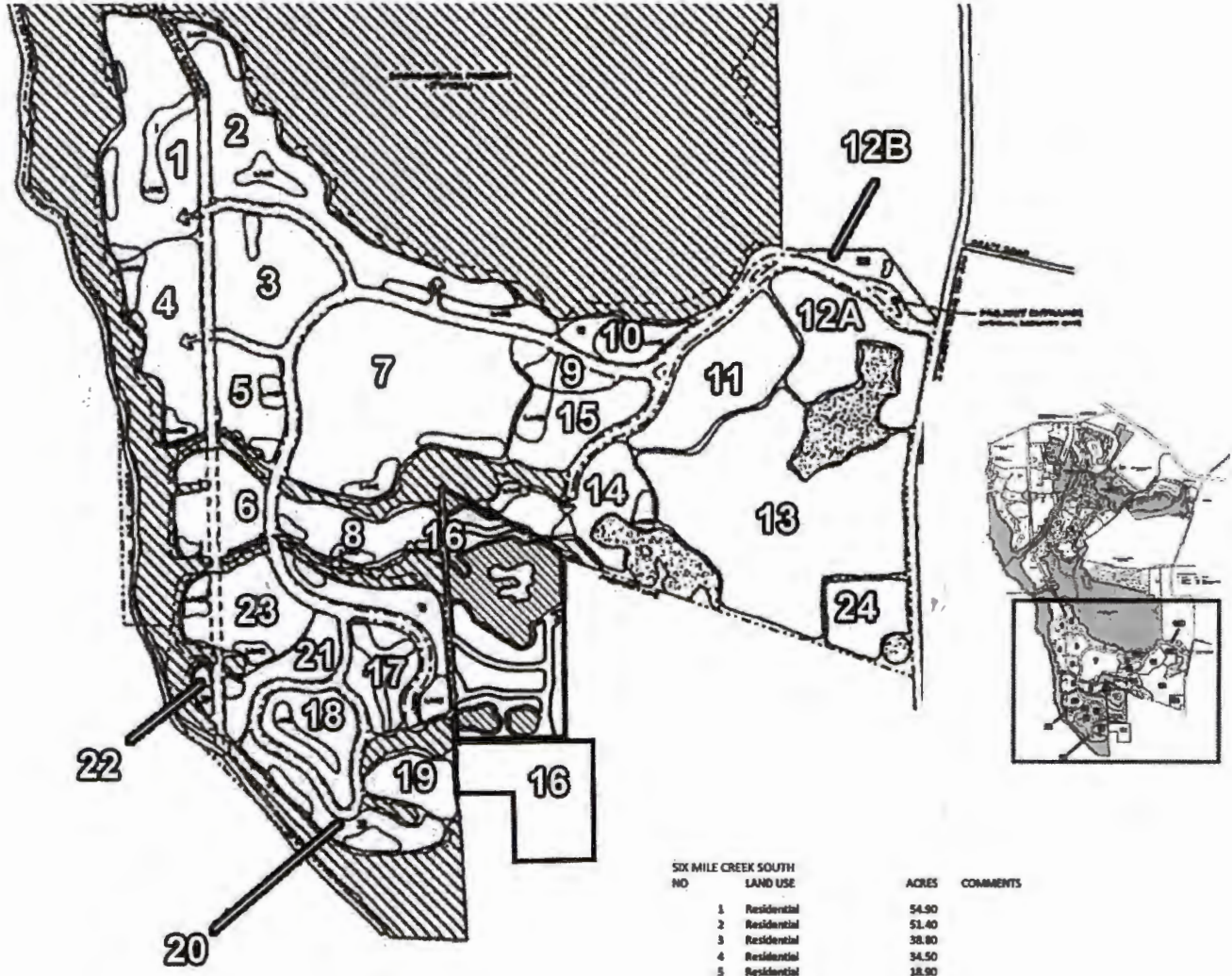
There shall be no increase in the total number of residential units allowed within Six Mile Creek South or the approved Six Mile Creek PUD.

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY, FLORIDA. WITNESS MY HAND AND OFFICIAL SEAL THIS 11th DAY OF July 2023
 ST. JOHNS COUNTY CLERK OF COURT
 EA-Criticio Clerk of the Board of County Commissioners



By: Cystal Smith, Deputy Clerk

Six Mile Creek South Map H-1



SIX MILE CREEK SOUTH NO	LAND USE	ACRES	COMMENTS
1	Residential	54.90	
2	Residential	51.40	
3	Residential	38.80	
4	Residential	34.50	
5	Residential	18.80	
6	Residential	25.58	
7	Residential	100.00	
8	Residential	20.80	
9	Residential	8.70	
10	Residential	12.70	
11	Residential	35.90	
12A	Residential	35.10	
12B	Residential	8.20	
13	Residential	107.80	
14	Residential	25.80	
15	Residential	22.30	
16	Residential	111.25	
17	Residential	17.30	
18	Residential	20.40	
19	Residential	12.10	
20	Residential	17.80	
21	Residential	15.20	
22	Residential	2.30	
23	Residential	27.90	
24	Educational	18.50	ELEMENTARY

Note: All parcels may contain community or neighborhood parks. (A minimum of 16.5 acres of parks/recreation will be provided).

The location, configuration, acreages and use of development parcels, golf course, roads, lakes, etc. are conceptual in nature and subject to further refinement upon submission of site plans.

There shall be no increase in the total number of residential units allowed within Six Mile Creek South or the approved Six Mile Creek PUD.

LOCALiQ

FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Lindsay Haga
Lindsay Haga
14775 Old Saint Augustine RD
Jacksonville FL 32258-2463

STATE OF FLORIDA, COUNTY OF ST JOHNS

The St Augustine Record, a daily newspaper published in St Johns County, Florida; and of general circulation in St Johns County; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

04/24/2023

and that the fees charged are legal.
Sworn to and subscribed before on 04/24/2023



Legal Clerk



Notary, State of WI, County of Brown

4-6-27

My commission expires

Publication Cost: \$359.40

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THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

DENISE ROBERTS
Notary Public
State of Wisconsin

NOTICE OF A PROPOSED MAJOR MODIFICATION

NOTICE IS HEREBY GIVEN that a public hearing will be held on 5/4/2023 at 1:30 pm before the Planning and Zoning Agency in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida and on 6/6/2023 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 Six Mile Creek PUD (ORD. 1991-37, as amended) to add approximately 33 acres of land for the purpose of developing for Outdoor/Passive uses.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE SIX MILE CREEK PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NUMBER 1991-37, AS AMENDED; REZONING APPROXIMATELY 33.96 ACRES FROM OPEN RURAL (OR) TO PUD; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The subject property is located southeast of TrailMark Master Planned Community. See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Planning and Zoning Division 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 Division, 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 St. Johns County Facilities Management, 2416 Dobbs Road, St. Augustine, FL 32086. 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
GREG MATOVINA,
CHAIR

BOARD OF COUNTY
COMMISSIONERS
ST. JOHNS COUNTY,
FLORIDA
CHRISTIAN
WHITEHURST, CHAIR

FILE NUMBER: MAJMOD-2023000005

PROJECT NAME: TrailMark Recreational Pond





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 13, 2023

FILED JUN 12 2023
St. Johns County
Clerk of Court

By: *Captal Smith*
Deputy Clerk

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, FL 32084

Attention: Yvonne King

Dear Honorable Brandon Patty,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns County Ordinance No. 2023-21, which was filed in this office on June 12, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh