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## ORDINANCE NUMBER: 2023 - 38

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) AND RESIDENTIAL, SINGLE FAMILY (RS-2) TO PLANNED UNIT DEVELOPMENT (PUD); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the development of the lands within this rezoning shall proceed in accordance with the application, dated October 12, 2022 in addition to supporting documents and statements from the applicant, which are a part of Zoning File PUD 2022-03 The Landings at St. Johns (Active Adult), as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

**SECTION 1.** Upon consideration of the application, supporting documents, statements from the applicant, correspondence received by the Growth Management Department, recommendation of the Planning and Zoning Agency, and comments from the staff and the general public at the public hearing, the Board of County Commissioners, finds as follows:

- 1. The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law.
- 2. The rezoning to **Planned Unit Development (PUD)** is consistent with the Comprehensive Plan, in that:
  - (a) The rezoning is compatible and complementary to conforming adjacent land uses. (Objective A.1.3.11)
  - (b) The rezoning encourages an efficient and compact land use pattern and supports balanced growth and economic development. (Objective A.1.11)
  - (c) The proposed project is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan.
- 3. The rezoning to **Planned Unit Development (PUD)** is consistent with the St. Johns County Land Development Code.
- 4. The zone district of **Planned Unit Development (PUD)** is consistent with the land uses allowed in the land use designation of Residential-B as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number PUD 2022-20 The Landings at St. Johns (Active Adult) the zoning classification of the lands described within the attached legal description, Exhibit "A",

#### is hereby changed to Planned Unit Development (PUD)

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

**SECTION 4.** To the extent that they do not conflict with the unique, specific and detailed provisions of this Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to development of property referenced herein except to the degree that development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this Ordinance, no portion of any concurrency provision or impact fee ordinance, building code, Comprehensive Plan or any other non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein. 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. This Ordinance shall take effect upon the effective date of St. Johns County Large Scale Comprehensive Plan Amendment No. 2022-06, St. Johns County Ordinance No. 2023-31, adopted concurrently on September 5, 2023.

**SECTION 6.** It is the intent of the St. Johns County Board of County Commissioners that scriveners 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 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.

**SECTION 8.** Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS \_\_\_\_\_\_ DAY OF Genter 2023.

BOARD OF COUNTY COMMISSIONER	S
BOARD OF COUNTY COMMISSIONER OF ST. JOHNS COUNTY, FLORIDA	

BY:

Christian Whitehurst, Chair

Rendition Date SEF UU

ATTEST: BRANDON J. PATTY, CLERK OF THE CIRCUIT COURT AND COMPTROLLER

Deputy Clerk

EFFECTIVE DATE: NOV 10 2023

## Exhibit "A"

Legal Description of the Property

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www.etminc.com tel 904-642-8550 • fax 904-642-4165 14775 Old St. Augustine Road • Jacksonville, Florida 32258

October 26, 2021

ISION • EXPERIENCE

Work Order No. 21-434.00 File No. 128C-23.00A

#### **Exhibit A: Legal Description**

A portion of Section 44 of the Francis P. Fatio Grant, Township 5 South, Range 26 East, together with a portion of Section 39 of the Francis P. Fatio Grant, Township 5 South, Range 27 East, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the Southwesterly corner of Lot 60, as depicted on Greenbriar Section One, a plat recorded in Map Book 14, pages 57 and 58, of the Public Records of said county, said corner lying on the Westerly line of said Greenbriar Section One; thence South 00°00'19" West, along said Westerly line, 2196.01 feet to the Southwesterly corner thereof and the Point of Beginning.

From said Point of Beginning, thence Easterly along the Southerly line of said Greenbriar Section One the following 4 courses: Course 1, thence North 81°27'44" East, departing said Westerly line, 265.83 feet; Course 2, thence North 71°08'42" East, 576.79 feet; Course 3, thence North 68°03'47" East, 705.28 feet; Course 4, thence South 76°29'16" East, 385.65 feet to the Southeasterly corner thereof; thence South 76°27'59" East, along the Southerly line of Bartram Ranch-Phase 2, a plat recorded in Map Book 103, pages 73 through 79, of said Public Records, a distance of 666.42 feet; thence South 06°02'36" West, continuing along said Southerly line of Bartram Ranch-Phase 2 and along the boundary line of those lands described in School Concurrency Proportionate Share Mitigation Agreement, recorded in Official Records Book 3293, page 1236, of the Public Records of said county, 701.43 feet; thence along the boundary line of said School Concurrency Proportionate Share Mitigation Agreement the following 3 courses: Course 1, thence South 12°30'53" West, 346.83 feet; Course 2, thence South 03°10'59" West, 708.00 feet; Course 3, thence South 03°09'59" East, 112.14 feet; thence South 87°26'15" East, along said boundary line and its Easterly prolongation, 4665.78 feet; thence South 22°09'33" West, 771.78 feet; thence South 88°40'53" East, 2043.66 feet to a point lying on the boundary line of Parcel "A", as described and recorded in Official Records Book 3863, page 1633, of said Public Records; thence South 12°48'12" West, along said boundary line and along the Westerly line of Tract "C-1", as depicted on Enclave at Rivertown-Phase Two-A, a plat recorded in Map Book 83, pages 10 through 31, of said Public Records, a distance of 1338.84 feet to an angle point on said Westerly line of Tract "C-1"; thence South 75°55'11" West, continuing along said Westerly line of Tract "C-1", along the Northerly line of Arbors at Rivertown-Phase One, a plat recorded in Map Book 101, pages 52 through 68, of said Public Records, and along said boundary line of Parcel "A", a distance of 3755.76 feet; thence North 77°09'43" West, continuing along said boundary line, 4900.05 feet; thence North 00°00'19" East, continuing along said boundary line, 3712.61 feet to the Point of Beginning.

Containing 580.99 acres, more or less.

### EXHIBIT "B"

# The Landings at St. Johns (Active Adult) Planned Unit Development

St. Johns County, Florida

January 2023

### **Team Roster**

Applicant:	Pulte Home Company, LLC Justin Dudley, Christopher Hill 124 Del Webb Parkway Ponte Vedra, Florida 32081 (904) 421-0773
Owner:	Greenbriar Land Holdings, LLC Austen Roberts P.O. Box 238 Lake Butler, Florida, 32054
Legal:	Rogers Towers, P.A. Ellen Avery-Smith, Esq. 100 Whetstone Place, Suite 200 St. Augustine, Florida 32086 (904) 824-0879
Planning/Engineering:	England-Thims & Miller, Inc. Casey Dendor, Ray Spofford, George Katsaras 14775 Old St. Augustine Road Jacksonville, Florida 32258 (904) 642-8990
Traffic:	Chindalur Traffic Solutions, Inc. Rajesh Chindalur 8833 Perimeter Park Boulevard, Suite 103 Jacksonville, Florida 32216 (904) 422-6923

### Exhibit List:

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Exhibit "A" – Legal Description of the Property Exhibit "B" – Planned Unit Development Text Exhibit "C" – Master Development Plan

### A. Purpose and Intent

Pulte Home Company, LLC ("Applicant") is the authorized agent of Greenbriar Land Holdings, LLC ("Owner"), the owner of approximately 580.99 acres located south of Greenbriar Road and west of Longleaf Pine Parkway (the "Property" or the "Greenbriar Property"). The Property is currently vacant and used primarily for silvicultural purposes. The Property includes a portion of St. Johns County Parcel Identification No. 000689-0010. A legal description of the Property is attached as Exhibit "A".

This application proposes to rezone the Property from Open Rural and RS-2 to Planned Unit Development ("**PUD**"), for a project to be called The Landings at St. Johns (Active Adult). The Owner is proposing to construct a maximum of 761 age-restricted single-family residential units within the portions of the Property. The Property has a Future Land Use Map ("**FLUM**") designation of Rural/Silviculture. The Owner has filed a companion Large-Scale Comprehensive Plan Amendment application to change the FLUM designation of the Property to Residential B (COMPAMD 2022-06).

The Owner owns the adjacent land to the northeast of the Property (the "The Landings at Greenbriar Site"), located between the Property and Greenbriar Road. The Owner and Applicant have filed a Small-Scale Comprehensive Plan Amendment application (CPA(SS) 2022-01) and a PUD rezoning application (The Landings at Greenbriar PUD, PUD 2022-03) related to The Landings at Greenbriar Site. The Landings at Greenbriar PUD includes non-age-restricted units. This PUD, The Landings at St. Johns (Active Adult), will be a related age-restricted community, but it will be interconnected with The Landings at Greenbriar PUD.

The Property is bordered on the north by existing and proposed residential communities (The Landings at Greenbriar and Bartram Ranch fka Greenbriar Downs PUD, Ord. No. 2009-10); on the east by vacant land, which includes contiguous wetland; on the south and west by the RiverTown Development of Regional Impact ("**DRI**"). Land uses found within the area and along Greenbriar Road reflect a combination of commercial and residential uses.

The architectural design of buildings within the project will be in character with residences on surrounding developed lands. The Applicant has preserved connected open space system to enhance the natural attributes of the site.

The design for The Landings at St. Johns may implement Low Impact Development principals in the parks, common landscaped areas and amenity center, with such principals including planting native vegetation and using bioswales to collect localized stormwater runoff.

### B. Project Size

The Property consists of approximately 580.99 acres as described in <u>Exhibit "A"</u> attached hereto. The Property has a FLUM designation Rural/Silviculture. A companion Large-Scale Comprehensive Plan Amendment application has been submitted to change the FLUM designation of the property to Residential B. The Property is located adjacent to another project by the Owner called The Landings of Greenbriar. Surrounding uses include single-family and multi-family residences in densities ranging from less than one (1) unit per acre to approximately 15 units per acre.

### C. Wetlands

The total number of wetland acres within the Property is approximately 286.67. The Owner will preserve a minimum of 209.3 acres of those wetlands, along with adjacent uplands. A maximum of 77.27 acres of wetlands may be impacted.

#### D. Development Area

The maximum number of developable acres, including filled wetlands (maximum 77.27 acres), is approximately 371.6 acres. Development parcels are illustrated on the Master Development Plan ("**MDP Map**") attached hereto as **Exhibit "C"**.

### E. Residential Development

The Property will include a maximum of 761 age-restricted single-family residential units. The requested overall residential density is approximately 2.08 units per gross acre (761 units within approximately 371.6 developable acres, plus wetland density bonus described below).

As set forth in detail in this MDP text and on the MDP Map, the Owner has set aside a minimum of 209.3 acres within the Property for wetland preservation. The Owner is requesting a density bonus for such wetland preservation, calculated as follows:

209.3 acres of preserved wetlands x ten percent (10%) = 20.93 units x 2 units per acre = 41.86 units

The Owner can achieve 743 units (371.6 acres x 2 dwelling units per acre) by right under the Residential B FLUM designation. The Owner is requesting the use of 18 units of the 41 units resulting from the wetland density bonus calculated per the St. Johns County Comprehensive Plan and St. Johns County Land Development Code (the "Code" or "LDC"), which will bring the maximum number of units within the project to 761 residential units. The contiguous wetlands used for the density bonus will be placed under a conservation easement in favor of St. Johns County.

The projected population within the Property is 1,857 residents, based on 2.44 residents in each of the maximum 761 residential units. There will be no school-age children because the project will be age-restricted and deed restricted to prohibit people under age 55 from residing in the community.

The Property may also include parks, recreational and community structures, Permitted Accessory Uses and Structures consistent with Section Q of this PUD text, other accessory structures pursuant to LDC Section 2.02.04, temporary construction offices and trailers, and essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television and electric and cellular communication towers.

#### F. Non-residential Development

The Property will contain no non-residential development other than recreational amenities and facilities to support the residential units. Such amenities and facilities may include, but not be limited to, resident event spaces where outdoor events, festivals, concerts, community markets and other gatherings may occur. Food and beverages (including alcoholic beverages) may be served or sold at such events.

Much of the Property has been and will continue to be used for silvicultural purposes. Silvicultural practices may continue in areas of the Property where construction has not commenced (except in upland buffers or preserved wetland areas) and so long as no requirements set forth herein or on the MDP Map are compromised. Silvicultural operations would be subject to any applicable provisions of the Code.

### G. Site Development Criteria

- 1. Single-Family Residential:
  - a. <u>Setbacks</u>: The minimum building setbacks are as follows:
    - i. A minimum of 20 feet from the primary internal access road depicted on the MDP Map.
    - ii. Lot setbacks are: Front Yard: 20 feet (garage); 15 feet (building); and 10 feet on second front for Corner Lots

Rear Yard: 10 feet

Side Yard: 5 feet

- iii. Setbacks shall be measured from the outer foundation wall of each structure 30 inches above grade.
- b. <u>Building height</u>: Residential units shall not exceed 35 feet in height. Amenity Center buildings and structures shall not exceed 50 feet in height. Amenity Center buildings will be protected with an automatic fire sprinkler system if the building height exceeds 35 feet.
- c. Minimum lot size: 5,500 square feet.
- d. Minimum lot width: 50 feet.
- e. Maximum impervious surface ratio: 70 percent.

- f. <u>Maximum lot coverage by buildings</u>: 55 percent per Lot. Under no circumstances shall the maximum lot coverage by buildings exceed 25% for the overall PUD.
- g. <u>Density</u>: There are approximately 364.76 developable acres designated for residential use within the Property. The current and proposed Residential B FLUM designations of the Property allows a density of two (2) units per acre. The requested overall density is 1.3 units per gross acre (761 units within approximately 580.99 acres) and 2.08 units per net acre (761 units within approximately 364.76 developable acres). The Owner has requested a density bonus for the preservation of wetlands, as set forth in Section E hereof. With the requested density bonus, the proposed density is consistent with the requirements for the Residential B FLUM designation set forth in the Comprehensive Plan.
- h. <u>Parking</u>: Each residence will have a minimum of two (2) parking spaces, which may be met with two (2) spaces in a driveway.
- i. <u>Fencing</u>: A maximum six (6)-foot-high fence will be allowed in the rear and rear/side yards and along the interior boundaries of the perimeter buffers and/or along the interior boundaries of the upland buffer, with no fencing allowed within the buffer.
- 2. <u>Signage</u>
  - a. On-site and off-site signs shall be permitted within and adjacent to the Property. Project signage shall meet the applicable requirements of LDC Parts 7.02.00 and 7.06.00.
  - In accordance with applicable provisions of LDC Part 7.06.00, the Project b. will be allowed one (1) identification sign erected at each entrance along the collector road that connects the Property to The Landings at Greenbriar Site, including signage within The Landings at Greenbriar Site since it is owned and will be developed by the Owner. Each identification sign may be either two (2)-sided and located in a median (within a signage tract), or one (1)-sided and located on each side of the applicable entry road. Such signage shall not exceed 64 square feet of advertising display area and 25 feet in height. See Section T for waiver. Entry signs shall be designed as monument or ground signs. Project signs may be lighted or illuminated. The Owner may construct a fence, masonry wall or berm or install landscaping and/or vegetation (or provide a combination thereof) to compliment the entrance feature. For the purposes of this PUD, sign height shall be deemed the height of advertising display area ("ADA") and does not include associated architectural features or signage structure. Non-specific repetitive decorative elements and motifs shall not be considered signage.
  - c. Each community or cluster of neighborhoods may have Community entrance signage. Such signs may have a maximum height of 15 feet and

a maximum ADA of 32 square feet per allowable sign face. Community entrance signs may be placed at the approximate entrance to each community and may have up to two (2) sign faces viewable from each adjacent right-of-way.

- d. Project identification and neighborhood or community entrance signage improvements may be placed, constructed and maintained within public rights-of-way dedicated to St. Johns County and commonly owned private rights-of-way subject to review and approval of the County. The Owner, a community development district or property owners association shall be responsible for the cost of installation and maintenance of any signs located within the right-of-way and the cost of maintenance, repair and replacement of such signs. Any such signs shall be subject to County review and approval of a right-of-way permit. No right-of-way signage improvements shall be installed so as to obscure the field of vision of motorists or pedestrians along the right-of-way. Prior to issuance of a building permit for a sign within a right-of-way, indemnification shall be provided, using language satisfactory to the County to defend and hold the County harmless from any loss, damage, suit, judgment, action, cost or expense incurred or brought against the County, including personal injury and property damage, resulting from or arising out of the placement, construction or existence of the signage improvements within the right-ofway or from the maintenance or failure to maintain the signage improvements within the right-of-way. The hold harmless agreement and permit shall touch and concern the land and the development within the Property and shall be a covenant running with the fee interest underlying the right-of-way, whether in existence from the date hereof or constructed in the future.
- e. Construction and/or advertising signs shall be allowed as on-site temporary signs, conforming to the applicable requirements of LDC Part 7.02.00. Such signs must be removed within 30 days after the last unit is sold. The signs may be two (2) sided with each face limited to six (6) square feet.
- f. Various locational, directional, model home and traffic control signs shall be allowed on site to direct traffic and for identification of sales offices, recreation areas, etc. Such signs will be a maximum of three (3) square feet in size.
- 3. <u>Lighting:</u> Project lighting will comply with the provisions of LDC Section 5.03.06.H.6.

#### H. Infrastructure

- 1. <u>Drainage</u>: Stormwater will be treated on site within the retention and detention areas. A master stormwater management system shall be constructed and maintained by a homeowners' association ("HOA") or a community development district ("CDD"). The stormwater management system will be constructed in accordance with the requirements of St. Johns County and the St. Johns River Water Management District.
- 2. <u>Site Access and Vehicular Circulation</u>: As depicted on the MDP Map, <u>Exhibit "C"</u>, there will be one (1) residential access from Greenbriar Road in the general location shown. The Owner will connect to the collector road that connects the Property to The Landings at Greenbriar Site to the north. The Owner cannot connect to lands located to the south and east of the Property due to the presence of wetlands and connection to the west is not feasible due to existing design and construction of those lands within the RiverTown DRI. Internal roads that are projected to exceed 2,000 vehicle trips per day will be constructed to minor collector standards, pursuant to the Code. Any site access improvements required by the County will be provided at the developer's expense.

Internal to the development, the use of Low Speed Vehicles shall be allowed on the roads with posted speed limits of less than 35 miles per hour ("MPH"). Low speed vehicles ("LSVs") means any four-wheel vehicle that can travel no faster than 25 MPH. LSVs can include golf carts that have been modified to travel greater than 20 MPH but not more than 25 MPH. Low Speed Vehicles shall be required to meet federal safety standards, including licensed and insured, headlamps, stop lamps, turn signal lamps, trail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicles identification numbers (Section 316.2122, Florida Statutes, St. Johns County Ordinance 2018-42).

- 3. <u>Pedestrian Circulation</u>: At a minimum, internal sidewalks a minimum of four (4) feet wide will be provided on one side of local roads. Minimum five (5)-foot sidewalks will be provided on both sides of collector roads connecting to the external pedestrian facilities along the collector road that connects the Property to The Landings at Greenbriar Site being developed by the Owner. All pedestrian accessible routes shall meet the requirements of the Code, Florida Accessibility Code for Building Construction ("FACBC") and Americans Disability Act Accessibility Guidelines ("ADAAG") established by Florida law and 28 CFR Part 36.
- 4. <u>Parks, Open Space and Recreational Facilities</u>: The project will have 1,857 residents (761 units x 2.44 residents per unit) and should provide 9.28 acres of community and neighborhood parks (5 acres per 1,000 population). The Owner proposes to provide a minimum of ten (10) acres of recreational area, of which 60 percent will be in the form of community parks. The active recreational facilities may contain improvements which

include but are not limited to playgrounds, a clubhouse, swimming pool, cabana(s), multi-purpose fields and other facilities in the locations depicted on the MDP Map. The Owner will pay park impact fees for the residential units within the project.

The project will provide a minimum of five percent (5%) conservation of upland natural vegetation, not including Significant Natural Communities Habitat, pursuant to LDC Section 5.03.03.A.3. The Project will provide a minimum of 25 percent open space, pursuant to LDC Section 5.03.03.A.1. Included within the project open space will be the approximately 216.23 acres of preserved wetlands. All of the facilities and elements for each open space, recreational area and/or amenity center or the like, shall meet the requirements of the FACBC, adopted pursuant to Section 553.503, Florida Statutes, based on the 2010 ADA Standards for Accessibility Design.

- 5. <u>Fire Protection</u>: Fire protection will be provided in accordance with LDC Section 6.03.00.
- 6. <u>Solid Waste Collection</u>: Solid waste collection will be provided by a County-contracted waste collection company.
- 7. <u>Utilities:</u> Except for those utilities already in place, or the relocation of such utilities, all utilities within the Project shall be underground. Potable water and sanitary sewer will be provided by the St. Johns County Utility Department ("SJCUD").

### I. Water/Sewer/Reuse

Water and sewer services will be obtained from JEA via central utility systems. All on-site utilities will be public. Water and sewer lines that are to be dedicated to the JEA for ownership that are not located in public right-of-way shall require an easement/restoration agreement. All utility construction shall be designed in accordance with JEA standards.

All utility construction projects are subject to current JEA Water, Sewer and Reuse Design Guidelines at the time of review. Utility connection points shall be installed as listed in the availability letter to minimize impact to the existing infrastructure or to the existing level of service. Water, sewer and/or reuse lines that are to be dedicated to the JEA for ownership that are not in public right-ofway shall require an easement/restoration agreement. No improvements such as pavement, sidewalks, and/or concrete walks are to be placed on top of water, reuse and/or sewer pressurized mains unless otherwise approved by JEA. Landscaping trees shall be placed at a minimum of six (6) feet away from the centerline of utility pipelines or a minimum of three (3) feet with a root barrier.

#### J. Soils

A soils map of the Property has been provided in connection with this application.

#### K. Site Vegetation

A Florida Land Use, Covers and Forms Classification System ("FLUCFCS") Map for the Property has been provided in connection with this application.

#### L. Significant Natural Communities Habitat and Listed Species

No Significant Natural Communities Habitat was identified on the site. No protected animal or plant species were observed on the Property.

#### M. Historical and Archaeological Resources

Archaeological investigations on the site produced no evidence of cultural resources within the project areas. Investigations resulted in the identification of no new archaeological and historical sites but involved the reassessment of one previously recorded archaeological site, 8SJ05343, Switzerland Navy Airfield and Bombing Target Site. Heritage Cultural Services, LLC recommends that the site is ineligible for listing in the NHRP.

#### N. Buffering and Landscaping

- 1. <u>Perimeter Buffer</u>: A minimum ten (10)-foot-wide buffer, natural or landscaped, shall be located along the perimeters of the Property, except adjacent to The Landings at Greenbriar Site being developed by the Owner to the north of the Property. Such buffer will meet the applicable requirements of LDC Section 6.06.04. The Owner will be permitted to construct sidewalks within the perimeter buffer, in the general locations depicted on the MDP Map. Tree mitigation and landscaping will comply with LDC Section 6.06.04 and other applicable Code provisions.
- 2. <u>Screening</u>: Screening of mechanical equipment located on the ground and/or rooftop will be in compliance with LDC Section 6.06.04.B.9.
- 3. <u>Upland Buffers</u>: An averaged 25-foot natural vegetative upland buffer shall be required and maintained between developed area and contiguous wetlands. The 25 feet shall be measured from the State jurisdictional wetland line, pursuant to LDC Section 4.01.06.B. The 25-foot setback from the upland buffer required in LDC Section 4.01.06.B.2 shall not be required for residential lots adjacent to contiguous wetlands when such upland buffer is not within platted lots.

Other than crossings for trails and utility/drainage structures, no uses will be allowed within the required upland buffers, and all upland buffers shall be maintained in their natural vegetative condition. The landward edge of the upland buffer will be identified, and no harvesting will occur in the upland buffer. Prior to commencement of any construction adjacent to a conserved wetland, all contractors shall be required to install silt fencing on the landward edge of the undisturbed upland buffer or landward of the undisturbed upland buffer at the physical limits of construction to protect the conserved wetlands. Crossings of upland buffers are permitted for roadways, utility crossings, trail and pathways and drainage outfalls. The minimum amount of upland buffer vegetation may be trimmed where necessary to maintain the areas of upland buffer crossings. The upland buffer shall be depicted on all construction plans and shall be recorded on the plat. Provided there is no encroachment into the required upland buffer, all accessory uses listed in Section Q hereof shall be permitted within this setback, except buildings which have a permanent foundation. Further, provided there is no encroachment into the upland buffer, this setback requirement shall not apply to:

- The installation of a sprinkler system, utility line, landscaping, pool enclosure, fencing and gazebos;
- The construction of a road essential for access and the construction of a stormwater retention or detention basin or other stormwater-related structure;
- The construction of a recreation trail; and
- Any necessary grade finishing providing a gradual slope between the setback line and the upland buffer.
- 4. <u>Development Edges</u>: A 35-foot development edge will be provided around the project perimeter except in areas where the properties contiguous to other land owned by Greenbriar Land Holdings, LLC, where no development edge will be required. See the MDP Map, and Section T, for waiver, for development edge locations. Development edges may be left in a natural state or landscaped. Development edges may include signs, multi-purpose paths, trails and stormwater ponds designed as amenities (for example, with fountains, gazebos, benches and similar improvements). Development edges may include natural walking paths that can be used by residents. Such paths shall be owned and maintained by a homeowners' association. No development edge is required where a scenic edge is provided.
- 5. <u>Scenic Edges</u>: No scenic edges will be provided since the Property is not located along a collector road or other Northwest Sector Road that requires a scenic edge.
- 6. <u>Use of Native Vegetation</u>: The project will use native vegetation around stormwater ponds to create wildlife habitat and passive recreation areas, consistent with Comprehensive Plan Policies D.3.2.6 and E.2.6.8.

### **O.** Special Districts

The Property is located within the Northwest Sector, as defined in the Comprehensive Plan and Code.

#### P. Temporary Uses

Ten (10) percent of the homes within the PUD or any phase thereof may be constructed as model homes with approved construction plans. The model homes may be built during construction of the infrastructure and may be used for sales, administration and construction offices, subject to the provisions of Section R hereof. Parking for the model homes and sales offices will be located within the driveway or adjacent lot. Parking for the model homes will comply with ADA guidelines. Development of the site and construction of the improvements will require temporary uses such as construction trailers, sales offices, temporary signage and temporary access. The location of these uses will be depicted on construction plans. Temporary construction and sales trailers will be removed no later than 30 days following the issuance of a certificate of occupancy for the last home constructed on the Property. The Owner shall be permitted to erect temporary on-site construction and real estate signage on the Property, in conformance with LDC Sections 7.03.01.B and C.

#### Q. Accessory Uses

Standard residential accessory uses will be allowed within the building areas of the site, including but not limited to decks, swimming pools, patios, air conditioning units, walkways and sidewalks. Accessory uses and structures will be allowed in accordance with the Code, provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of structure. Specifically, as follows:

- 1. Accessory uses or structures contained within or attached to the building containing the principal use shall be considered a part of the principal building and not an accessory building and shall meet the same requirements for setbacks as the main use structure, except as provided in paragraph 2 below.
- 2. Accessory uses such as pools, covered pools, patios, outdoor fireplaces, decks and gazebos, either attached or detached from the principal use structure, may be constructed up to a minimum of three (3) feet from the rear or side property boundary.
- 3. Guesthouses or employee quarters, either attached or detached, shall meet the required setbacks of the principal use structure.
- 4. Detached accessory structures, other than those described in paragraph two (2) and three (3) above, may be constructed three (3) feet from the side or rear property boundary, if such accessory structure is separated from the principal use structure by ten (10) feet or more. If the accessory structure is less than ten (10) feet from the principal use structure, then the

accessory structure shall be a minimum of five (5) feet from the rear or side property boundary.

- 5. No accessory structure, excluding yard ornaments, shall be located within the required front yard.
- 6. Yard ornaments may be permitted in any required yard subject to height limitations and requirements limiting obstruction of visibility as defined by the Code.
- 7. No permanent structures shall be allowed within any (public or private) drainage or utility easement. Examples of permanent structures shall include, but are not limited to: buildings, footings, decks, screened enclosures, patios, swimming pools and pool decks.
- 8. No air conditioning or electrical equipment, masonry walls or masonry fences, swimming pools, swimming pool decks, swimming pool enclosures or signs shall be located or constructed within any drainage or underground utility easement.
- 9. All fencing shall comply with LDC Section 2.02.04.12.
- 10. The upland buffer shall remain natural and undisturbed.
- 11. Mechanical equipment (HVAC, generators, pool equipment, etc.) shall be set back three (3) feet from the side or rear property boundary.

Accessory Uses such as private garages/mother-in-law suites and storage Buildings; Home Offices; model homes; guardhouses; air conditioning units and related heating/cooling units; swimming pools and pool equipment; generators; fences, walls or hedges; gazebos and other open-air structures; boardwalks, docks, and other similar uses shall be permitted within the Property, all as subject to the applicable standards set forth in LDC Sections 2.02.04.A.3.C, 2.02.04.B and 6.04.06.F.7.d. All Accessory structures shall comply with appropriate Florida Building Codes, including life safety issues, fire separations and Florida Accessibility Code for Building Construction (**"FACBC"**) requirements.

Indoor and/or outdoor areas for the storage of recreational vehicles, boats and similar equipment shall be allowed throughout the PUD. These areas shall be an accessory use to the residents of the community and will not be available for public rental. Any outdoor storage areas shall comply with the screening standard set forth in the LDC Section 2.03.42. The location of recreational vehicle and boat storage area will be depicted on incremental MDP Maps.

#### R. Project Phasing

The project will be constructed in one (1), 10-year phase Construction shall commence within five (5) years of PUD Ordinance approval. For purposes of this PUD, "commencement" shall mean securing approved construction drawings. "Completion" shall be defined as the installation of horizontal infrastructure and St. Johns County approval of as-builts.

#### S. Projected Impacts

The Owner is seeking to develop an age-restricted residential project on the Property in order to provide infill housing and the single-family rooftops that may be needed to seed non-residential development within this portion of St. Johns County. The Owner believes that the proposed PUD will be of benefit to the future occupants of the project and to the residents of St. Johns County, in that it will further the stated goals and objectives of the County Comprehensive Plan and provide for a more desirable environment than could be accomplished through traditional zoning.

The Owner proposes to construct a maximum of 761 age-restricted residential units within the Property, in areas with a Residential B future land use designation. The overall area and neighborhood is ideally suited to this type of development and this tract is suitable in character and location for the structure and uses proposed, including close proximity to community facilities and the northwest portion of the County with associated recreational facilities and shopping. It has access to major roadways and transportation corridors including connection to Greenbriar Road, which provides access to area employment opportunities and retail activities.

The Owner will connect to existing utility lines to provide water, sewer and reuse service to the Property. The Owner will work with the JEA to install the lines necessary to allow a loop of the existing JEA water lines to increase the efficiency and dependability of its overall system. No reuse is available at this time in the area.

St. Johns County Fire Station 2 is located approximately 3.5 miles from the site.

The Owner will construct a number of recreational areas within the Property.

This project has been designed to minimize impacts to wetlands and endangered or threatened species. The Owner will preserve approximately 216.23 acres of wetlands, which will add to the County's environmental preservation efforts. Rather than the habitat fragmentation that commonly occurs during development, The Landings at St. Johns will insure the perpetual preservation of a large contiguous wetland of regional significance.

The proposed sale prices of homes to be constructed on the Property will average \$400,000 so ad valorem taxes paid to the County should more than offset the cost of providing services to residents.

#### T. Waivers

The standards contained in this PUD text are provided to accommodate and promote the principles of smart growth and sustainability, to reduce the dependence on the automobile and to allow development to occur in an environmentally sensitive manner. Departures from specific standards of the Code have been appropriately identified within this document and further summarized below. All of the following waivers are more fully described within the applicable sections of this PUD text.

# LDC Sections 2.02.04.B.5 and 2.02.04.B.8 Setbacks for Mechanical Equipment and Swimming Pools

The Owner is requesting a waiver from the requirements that (i) all mechanical equipment such as air conditioning units, pool equipment and other similar equipment be set back a minimum of five (5) feet from property lines, and (ii) all swimming pools meet minimum yard requirements. There will be a variety of housing types and sizes located within The Landings at St. Johns, so the Owner would like the ability to provide a minimum of three (3)-foot setbacks for mechanical equipment and swimming pools.

# LDC Section 4.01.05. C.6 Bona Fide Agricultural and Silvicultural Operations

This waiver is requested to allow silvicultural harvesting to occur up to the immediate time for development subject to conditions in the PUD with no requirement to maintain the minimum required tree inches per acre for land in which County approvals will be requested within the four (4)-year period after land clearing. The site will be required to meet the minimum required tree inches per acre after completion of construction per Code.

# LDC Section 5.03.03.B.1.b and 6.03.01 Fire Protection Regulations/Building Setbacks

The Owner is requesting waivers from the requirements (i) that there be a minimum five (5)-foot side yard setback for each residential lot with no permitted projections into the side yard setback, and (ii) that there be a minimum separation between structures as measured from the furthest projection to the furthest projection of ten (10) feet. To ensure adequate public safety, the Owner will provide a fire protection system designed and installed in accordance with NFPA 13 or the required fire hydrants shall be capable of providing an additional 500 gallons per minute of flow for two (2) hours. Such fire flow shall be in addition to that required by NFPA 1, Chapter 18. All homes will have a ten (10)-foot separation as measured from outer wall to outer wall 30 inches above grade.

### LDC Section 5.03.03.B.1.c and 6.01.04 Front Yard Setbacks

This waiver allows the front yard setback for residential development as specified in Section G of this Text to be 15 feet to the front of the home except for a frontload garage which must be setback 20 feet. This waiver is justified due to the design and lot layout for the project. Locating the home closer to the street creates better enclosure of the public realm for pedestrians and a better overall aesthetic. It also narrows the perceived driving corridor which in turn, has a traffic calming effect and reduces vehicular speed within neighborhoods.

#### LDC Section 5.03.03. F Unified Sign Plan

Because the Owner is seeking to develop a solely residential project on the Property, it will not need extensive project signage. Thus, the Owner requests that it not be required to prepare a Unified Sign Plan for the project. All signage within the Property will comply with the applicable provisions of LDC Article VII, except as otherwise requested.

#### LDC Section 6.01.03. E.3 Reduced Corner Lot Setbacks

The Owner is requesting a waiver from the requirement to provide a second front yard for corner lots of a certain size. The Owner is proposing to provide one 20foot front yard and one ten (10)-foot second front yard on all corner lots. This waiver provides for more efficient use of land to allow clustering and preserve additional open space

#### LDC Section 6.06.02.H Northwest Sector Development Edges

The Owner is seeking to eliminate the required development edge within the Property in the location where it lies adjacent to The Landings at Greenbriar Site owned and being developed by the Owner. The Owner intends to develop its adjacent land as a non-age-restricted community called The Landings at Greenbriar, so the two residential projects will be interconnected and compatible.

#### LDC Section 6.07.01. B.1 Lot Fill

This waiver is requested to allow lot fill greater than three (3) feet above the highest existing natural grade on lots prior to the placement of any fill. This waiver is justified because some lots within the Landings at St. Johns will require more than three feet of fill to comply with the neighborhood grading plan standards of the Code and other jurisdictional agency requirements.

#### LDC Section 7.06.01 Subdivision Entrance Signs

The Owner is requesting a waiver from the requirement that the Subdivision Entrance Sign to be located at the primary project entrance on Greenbriar Road is limited to 32 square feet of advertising display area ("ADA") and 15 feet in height. The primary entrance road into the Property will also serve a future Del Webb community to be developed on the adjacent property owned by the Owner. Thus, there is a need for the Subdivision Entrance Sign at the primary entrance into the Project to be a maximum of 25 feet in height and have a maximum ADA of 64 square feet.

#### U. Ownership Agreement

The Owner, its successors and or assigns, hereby agree and stipulate to proceed with the proposed development in accordance with the PUD Ordinance for this application as adopted by the St. Johns County Board of County Commissioners. The Owner (including its successors and/or assigns) also agrees to comply with all conditions and safeguards established by the St. Johns County Planning and Zoning Agency and the St. Johns County Board of County Commissioners regarding said PUD specifically outlined as follows:

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

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

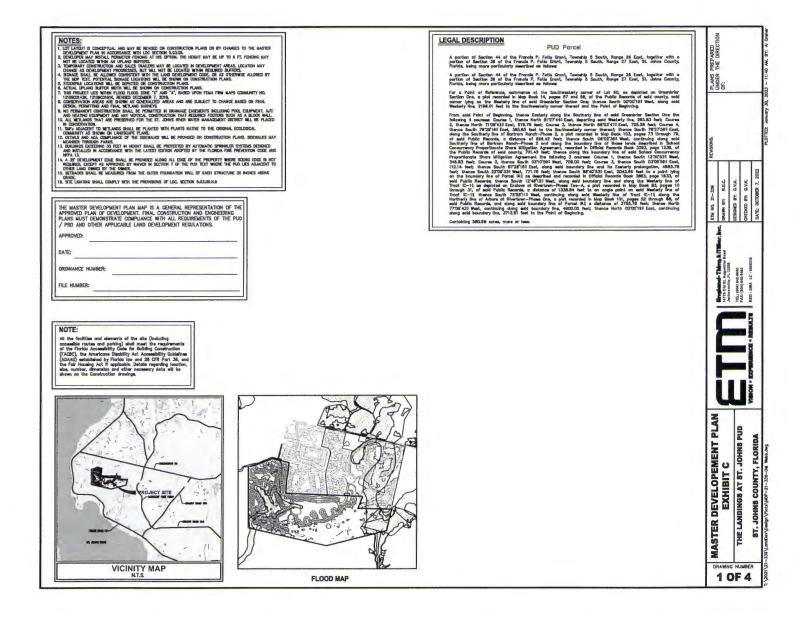
#### V. Future Land Use Designation

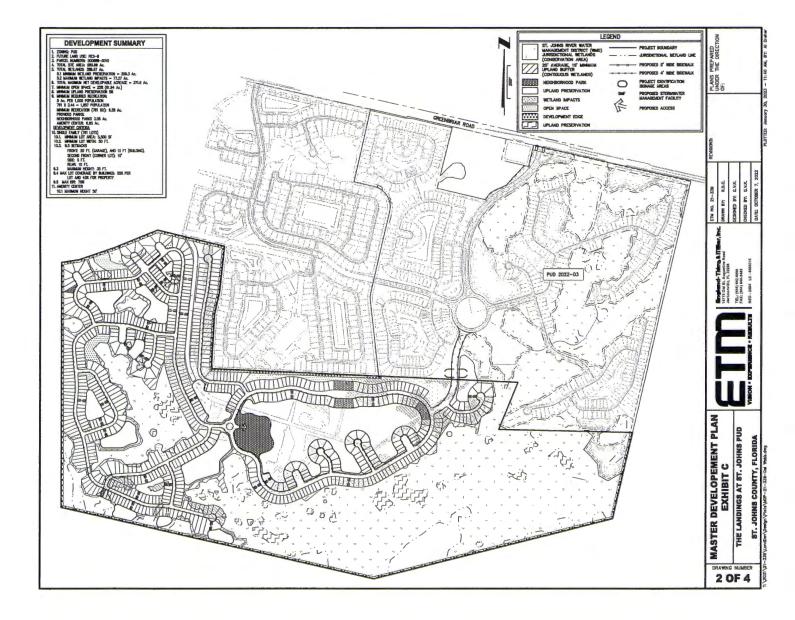
The property is located within the Residential B designation on the 2025 Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan.

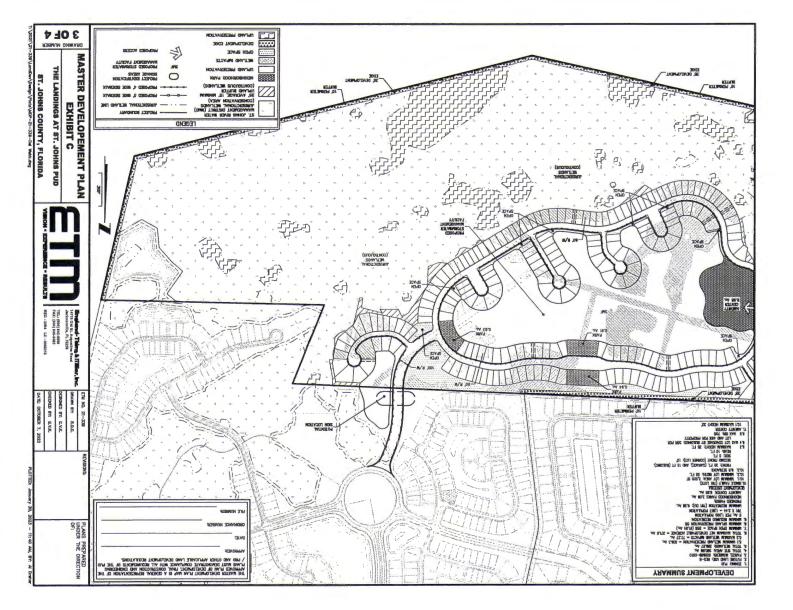
## Exhibit "C"

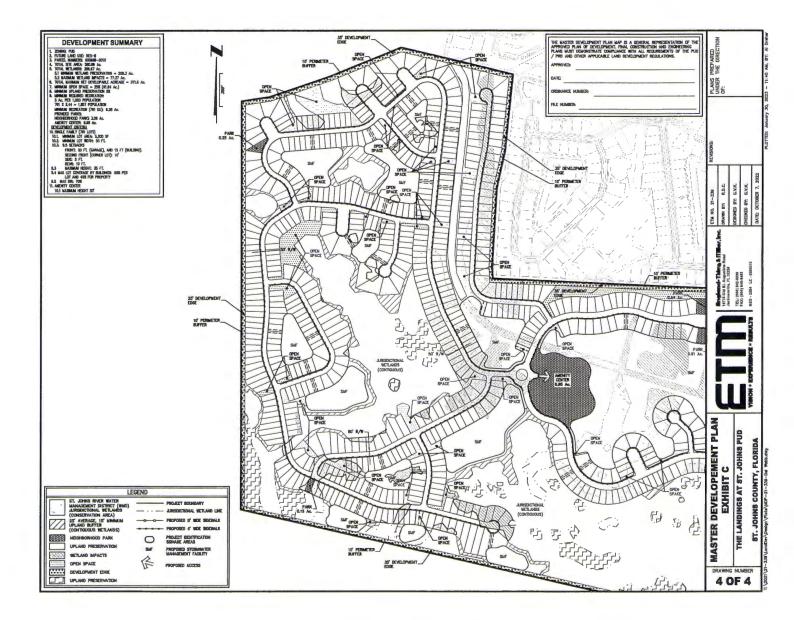
## Master Development Plan

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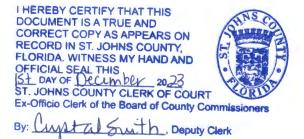








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## LOCALIQ FLORIDA

#### **PROOF OF PUBLICATION**

England Thims & Miller Inc England Thims & Miller Inc 14775 Old Saint Augustine Rd

Jacksonville FL 32258

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a Classified Legal CLEGL, was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

#### 07/12/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes. Subscribed and sworn to before me, by the legal clerk, who

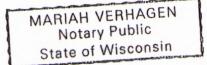
Subscribed and sworn to before merby the legal clerk, who is personally known to me, on 07/12/2023

_ Chny Kohott	
Legal Clerk	
Notary, State of WI, County of Brown	
My commision expires	

Publication Cost:	\$326.40	
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### THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.



#### NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 8/3/2023 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 9/5/2023 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 to rezone approximately 580.99 acres of land from Open Rural (OR) and Residential, Single Family (RS-2) to Planned Unit Development (PUD) to allow for a maximum 761 age- restricted single family homes. This request is a companion application to COMPAMD 2022-06.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) AND RESIDENTIAL, SINGLE FAMILY (RS-2) TO PLANNED UNIT DEVELOPMENT (PUD); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located south of Greenbriar Road, west of Longleaf Pine Parkway. 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.

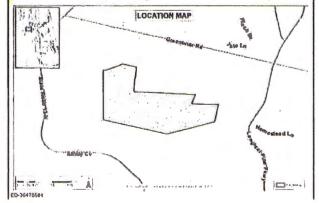
PLANNING AND ZONING AGENCY ST. JOHNS COUNTY, FLORIDA GREG MATOVINA,

CHAIR

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

#### FILE NUMBER: PUD-2022000020

PROJECT NAME: The Landings at St. Johns (Active Adult)





FLORIDA DEPARTMENT Of STATE

RON DESANTIS Governor **CORD BYRD** Secretary of State

September 7, 2023

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

Attention: Crystal Smith

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. 2023-38, which was filed in this office on September 7, 2023.

Sincerely,

Anya Owens Administrative Code and Register Director

ACO/wlh

SEP 07 2023 **Clerk of Cour**