

**ORDINANCE NUMBER: 2024 - 14**

**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), COMMERCIAL GENERAL (CG), COMMERCIAL INTENSIVE (CI) WITH CONDITIONS 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 4, 2023, in addition to supporting documents and statements from the applicant, which are a part of **Zoning File PUD 2023-21 Bella Terra**, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

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

1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The PUD is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan, specifically Goal A.1 of the Land Use Element related to effectively managed growth, the provision of diverse living opportunities and the creation of a sound economic base.
3. The PUD is consistent with the Future Land Use Designation of Mixed-Use District.
4. The PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments.
5. The PUD is consistent with the St. Johns County Comprehensive Plan, specifically Policy A.1.3.11 as it relates to compatibility of the project to the surrounding area.
6. The PUD meets the standards and criteria of Part 5.03.02 of the Land Development Code with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
7. The PUD meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Sections 5.03.02.G.1, 5.03.02.G.2, and 5.03.02.F of the Land Development Code.
8. The PUD would not adversely affect the orderly development of St. Johns County.
9. The PUD as proposed is consistent with Objective A.1.11 of the St. Johns County Comprehensive Plan as it relates to an efficient compact land use pattern.

**SECTION 2.** Pursuant to this application File Number PUD 2023-21 Bella Terra 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.** It is the intent of the St. Johns County Board of County Commissioners that scrivener 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.** 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.

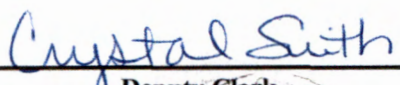
**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 2ND DAY OF APRIL, 2024.**

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

BY:   
Sarah Arnold, Chair

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

RENDITION DATE: APR 03 2024

BY:   
Deputy Clerk



EFFECTIVE DATE: APR 08 2024

**Exhibit "A"**  
**The Property – Bella Terra**

A PARCEL OF LAND IN GOVERNMENT LOT 9 AND GOVERNMENT LOT 10, SECTION 18, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 10; THENCE SOUTH 88°21'22" WEST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 10 A DISTANCE OF WEST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 10 A DISTANCE OF 1329.92 FEET TO THE WEST LINE OF GOVERNMENT LOT 10; THENCE NORTH 00°55'56" WEST ALONG SAID WEST LINE OF GOVERNMENT LOT 10, A DISTANCE OF 854.61 FEET; WEST ALONG SAID WEST LINE OF GOVERNMENT LOT 10, A DISTANCE OF 854.61 FEET; THENCE DEPARTING SAID WEST LINE OF GOVERNMENT LOT 10 NORTH 51°41'28" EAST, ALONG THE NORTHERLY LINE OF SECTION 18, TOWNSHIP 8 SOUTH, RANGE 30 EAST, A EAST, ALONG THE NORTHERLY LINE OF SECTION 18, TOWNSHIP 8 SOUTH, RANGE 30 EAST, A DISTANCE OF 654.03 FEET TO THE SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 716, PAGE 313, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 88°20'11" EAST, ALONG SAID NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 716, PAGE 313, A DISTANCE OF 734.94 EAST, ALONG SAID NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 716, PAGE 313, A DISTANCE OF 734.94 FEET TO THE WEST LINE OF PARCEL 6 OF THOSE LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 915, PAGE 1517, OF SAID PUBLIC RECORDS; THENCE SOUTH 0°56'32" EAST, EAST, ALONG SAID WEST LINE OF PARCEL 6 OF THOSE LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 915, PAGE 1517, A DISTANCE OF 75.00 FEET TO THE SOUTHWEST CORNER OF SAID LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 915, PAGE 1517; THENCE NORTH 88°20'11" EAST, ALONG THE SOUTH LINE OF SAID LANDS AS RECORDED IN OFFICIAL EAST, ALONG THE SOUTH LINE OF SAID LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 915, PAGE 1517, A DISTANCE OF 75.00 FEET TO THE SOUTHEAST CORNER SAID LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 915, PAGE 1517; THENCE SOUTH 0°56'32" EAST, A DISTANCE OF 10.18 FEET TO THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1864, OF SAID PUBLIC RECORDS; EAST, A DISTANCE OF 10.18 FEET TO THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1864, OF SAID PUBLIC RECORDS; THENCE SOUTH 88°22'40" WEST, ALONG SAID NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1864, A DISTANCE OF 100.00 FEET TO THE WEST, ALONG SAID NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1864, A DISTANCE OF 100.00 FEET TO THE WEST LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1864; THENCE SOUTH 0°56'32" EAST, ALONG THOSE WEST LINE OF LANDS AS DESCRIBED IN EAST, ALONG THOSE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1864, A DISTANCE OF 100.00 FEET TO THE SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1864; THENCE NORTH 88°22'40" EAST, ALONG SAID SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1864, A DISTANCE OF 100.00 FEET; THENCE EAST, ALONG SAID SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1864, A DISTANCE OF 100.00 FEET; THENCE SOUTH 0°56'32" EAST, A DISTANCE OF 50.00 FEET TO THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 426, OF SAID PUBLIC EAST, A DISTANCE OF 50.00 FEET TO THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 426, OF SAID PUBLIC RECORDS; THENCE SOUTH 88°22'40" WEST, ALONG SAID NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 426, A DISTANCE OF 100.00 FEET WEST, ALONG SAID NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 426, A DISTANCE OF 100.00 FEET TO THE WEST LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 426; THENCE SOUTH 0°56'32" EAST, ALONG SAID WEST LINE OF SAID LANDS AS EAST, ALONG SAID WEST LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 426, A DISTANCE OF 100.00 FEET TO THE SOUTH LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 426; THENCE NORTH 88°22'40' EAST, ALONG SAID SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 426, A DISTANCE OF 100.00 FEET TO THE SOUTHEAST CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 426; THENCE SOUTH 0°56'32" EAST, A DISTANCE OF 41.17 FEET TO EAST, A DISTANCE OF 41.17

FEET TO THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2365, PAGE 1994, OF SAID PUBLIC RECORDS; THENCE NORTH 88°21'22" EAST, ALONG SAID EAST, ALONG SAID NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2365, PAGE 1994, A DISTANCE OF 0.72 FEET TO THE WEST LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92, OF SAID PUBLIC RECORDS; THENCE NORTH 0°53'40" WEST, ALONG SAID WEST LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92, A DISTANCE OF 119.22 FEET TO THE NORTH LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92; THENCE NORTH 88°21'48" EAST, ALONG SAID NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92, A DISTANCE OF 322.22 FEET TO THE WESTERLY RIGHT EAST, ALONG SAID NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92, A DISTANCE OF 322.22 FEET TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 (200.00' RIGHT OF WAY); THENCE SOUTH 08°14'12" EAST ALONG SAID WESTERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 1 (200.00' RIGHT OF WAY), A DISTANCE OF 314.44 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF U.S. HIGHWAY NO. 1 (200.00' RIGHT OF WAY) SOUTH 81°46'38" WEST, A DISTANCE OF WEST, A DISTANCE OF 365.36 FEET; THENCE SOUTH 00°53'40" EAST ALONG THE WEST LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92, SAID LANDS AS DESCRIBED IN EAST ALONG THE WEST LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92, SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5111, PAGE 209, AND THE EXTENDED EAST LINE OF THE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3798 PAGE 482 ALL OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY , A DISTANCE OF 634.04 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINING 1,643,555.13 SQUARE FEET OR 37.731 ACRES MORE OR LESS.



**MASTER DEVELOPMENT PLAN TEXT**

This Master Development Plan Text is part of an application for rezoning to Planned Unit Development ("PUD") as required by the St. Johns County Land Development Code ("LDC").

**A. Project Description:** The Bella Terra PUD proposed by this Development Plan is a residential development that is located on US Highway 1 South, south of Wildwood Drive and north of Watson Road near Bella Terra Drive. The project is surrounded by development with a mobile home park and professional office to the north, Osprey Landing single family residential subdivision to the west, and Winton Circle single family development to the south. This development will fill demand for housing in this portion of the County where the urban infrastructure is already in place and where existing and approved residential development is largely sold out.

Primary access to the property will be directly from US Highway 1. Because of its proximity to existing development, infrastructure, and its infill location, the project is not urban sprawl.

**B. Development Size:** There is a total of approximately 37.73 acres of property within the PUD that are located within the Mixed Use Comprehensive Plan Designation as depicted on the Master Development Plan ("MDP") Map.

**C. Wetlands:** There is a total of approximately 11.12 wetland acres within the PUD with 9.83 acres impacted and 1.29 acres preserved.

**D. Development Area:** There are approximately 36.44 developable acres (after 9.83 acres of filled wetlands) within the property. Approximately 1.29 acres of wetland will be preserved. The Project is solely residential and features up to 155 residential units as depicted and described on the MDP Map.

**E. Dwelling Units and Density:** Residential development shall be limited to 155 residential units as shown on the MDP Map. This unit number is consistent with the Comprehensive Plan based upon a maximum base density within the Mixed Use category of thirteen (13) units per acre on 36.44 acres of development area ( $13 \times 36.44 = 473.72$  units) not utilizing any wetland density bonus or optional density bonus. The density of the project is 4.25 units per acre based upon 155 residential units on a total of 36.44 developable acres. The projected population within the project is 378.2 persons based upon 2.44 persons per household, the St. Johns County concurrency standard. The estimated number of school age children within the project is 40.3 based upon the County standard of 0.26 school age children per household in the St. Augustine High School Concurrency Service Area. Any builder selling homes in the Project will provide disclosure documents announcing the potential for children to be rezoned to different schools within the sales literature.

It should be noted that this residential density is consistent with the density allowed under the Mixed Use designation indicated on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan.

**F. Non-Residential Development:** None.

**G. Site Development Criteria:**

1. Residential Development. The residential areas may be developed with detached single-family homes with fee-simple form of ownership. Lot development criteria shall feature a minimum lot width of 43 feet and lot depth of 120 feet (as calculated pursuant to Section 6.01.03A of the Land Development Code) with a minimum lot area of 5,160 square feet. Maximum Impervious Surface Ratio per lot shall not exceed 75%. Maximum lot coverage by buildings shall not exceed 65% on any individual lot.

The maximum building height for all structures shall be 35 feet except as permitted by LDC Section 6.07.02. Additionally, Lots 31-33 shall be limited to one-story, as depicted on the MDP Map.

2. Setbacks. The following setback requirements shall apply to all residential structures. The setbacks shall be measured in accordance with the definition of "Yard" contained in Article XII of the Land Development Code and set forth below and in accordance with the following subsections of Section 6.01.03 of the Land Development Code as set forth in Section G.2.f below:
  - a. *Setback from US Highway 1.* The minimum setback from US Highway 1 shall be 50 feet.
  - b. *Side Yard.* The minimum side yard setback shall be 5 feet with no permitted projections, providing for a minimum clearance of 10 feet between any structures. Driveways must be setback a minimum of 5 feet from side property lines.
  - c. *Front Yard.* The minimum front yard setback shall be 20 feet to the face of the garage and 15 feet to the face of the home. Driveways may be located within the front yard setbacks.
  - d. *Rear Yard.* Minimum rear yard setbacks shall be 10 feet.
  - e. *Corner Lot.* Corner Lots have 2 Front Yards. The setbacks for corner lots shall be a minimum of 20 feet for one Front Yard and a minimum of 15 feet for the other Front Yard. The reduction of the second front yard to 15 feet shall only be allowed provided site distance and visibility is not impacted. Further, front yard with 15 feet may not contain garage or driveway sides of the homes. See Section T, Waivers.

- f. *Accessory Structures.* Accessory Structures shall be allowed as per Section 2.02.04 of the Land Development Code. Detached Accessory Structures (other than guest houses and pools) that are separated from the main Structure by not less than 10 feet may be located in a required Side or Rear Yard but not less than 3 feet from any Lot line. There shall be no eave, air conditioning equipment, electrical equipment, or masonry wall/fence located within the boundaries of any underground utility or drainage easement. Pools, covered patios and similar structures shall meet the setback requirements of the main use structure and not encroach into drainage and underground utility easements but shall only be required to maintain a five (5) foot rear yard setback. Street lighting shall be allowed and be constructed in accordance with the Land Development Code.
- g. *Yard Measurements.*

**Definition of Yard**

A required open space other than a court unoccupied and unobstructed by a Structure or portion of a Structure from thirty (30) inches above the general ground level of the graded Lot upward; provided, however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any Yard subject to height limitations and requirements limiting obstruction of visibility.

**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. One Dwelling Unit Per Lot**

Only one (1) Single Family Dwelling Unit shall be permitted per platted Lot.

**D. 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 district regulations 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. Corner Lots are considered to have two (2) Front Yards. The required Front Yard of the second frontage may be reduced to 15 ft. See waivers.

**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. Corner through Lots are considered to



have two (2) or more Front Yards, and one Side yard. At least one of the Front Yards must meet minimum setback requirements. The required Front Yard of one or more of the other of the frontages may be reduced to 15 ft. See waivers.

**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 prescribed in district regulations.

**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.

**7. Side Yards Less Than Ten (10) Feet**

LDC Section 6.03.01 has requirements when structures are closer than 10 feet as measured from furthest projection to furthest projection. Either all structures must be protected with a fire system designed and installed in accordance with NFPA 13 or the required fire hydrants shall be capable of providing an additional 1000 gpm for 2 hours. Such flow shall be in addition to the required fire flow.

**8. 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 and the Lot has no Rear Yard. 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 district regulations for such Yards. In all cases the restrictions

on maximum Lot coverage and maximum impervious area must be met.

**9. Rear Yards**

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

**10. 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, there will be no required Rear Yard, and Yards other than those adjacent to Streets shall be construed as Side Yards.

**E. [INTENTIONALLY OMITTED]**

**F. Permitted Projections Into Required Yards**

1. 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 be not located within three (3) feet of any lot line, and may not project into the required Front Yards. No permanent improvements including eaves, mechanical equipment, pools and fencing with a foundation are permitted to encroach into any drainage easements. See waivers.
  
3. Covered Patios and Covered Pools. For zoning districts requiring a Rear Yard setback twenty (20) feet or less, Covered Patios, Covered Pools, and similar Structures, as defined in the LDC, may intrude within five (5) feet of the rear property line (LDC Section 6.01.03.H.3) and shall not intrude into the required Side or Front Yards except as listed below. In no case shall the permitted intrusion of the Covered Patio, Pool Enclosures, or similar Structure reduce the Yard provided to less than five (5) feet, except where a drainage or underground utility easement exists. In such case, the reduction in setback shall not intrude

into the easement but can match the said easement's boundary.

4. For Through Lots, a Covered Patio may intrude ten (10) 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.
5. Any hard surfaces shall remain a minimum of 3' from any property line.

**G. Minimum Lot Dimension**

The minimum dimension of the buildable Lot (43' x 120') 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 Section G. of this PUD Text, the Front Yard shall be extended to the point at which the minimum dimension is met.

3. Parking. Parking for two vehicles shall be provided outside of the right-of-way within the parking area or a garage for each residential unit.
4. Fencing. Rear and side yards may be fenced with a maximum 6-foot high wood, vinyl, or similar type fence and front yards may be fenced with a maximum 4-foot high wood, vinyl, or similar type fence. No portion of any upland buffer, development edge or perimeter buffer as depicted on the MDP map shall be encroached upon by fencing. This restriction will not prohibit the Developer from installing perimeter fencing around the project's boundary up to a maximum of 8-feet in height. The Developer may also install fencing around the recreation and/or related facilities.

A minimum 8-foot high wood, vinyl, or similar type fence will be installed along the western boundary adjacent to the Osprey Landing subdivision so as to provided additional screening between the projects.

5. Signage and Lighting.
  - a. *Project Identification Signage.* Project identification signs will be located at or near the entrance to the PUD and shall be limited to a total of two (2) such signs. All permanent signs may be monument or ground signs and may be incorporated into a wall, fence, or other structure, and shall be no more than 15 feet in height with a maximum ADA of 32 square feet and shall not obstruct visibility for vehicular traffic in accordance with LDC Section 7.02.03. Two (2) additional project signs with a maximum ADA of 24 square feet may be installed within the project to identify/distinguish between Phases.

- b. *Project Signage Lighting.* The project identification signage may be lighted or externally illuminated and shall be landscaped.
  - c. *Internal Signage.* Various locational, directional, model home, and traffic control signs shall be allowed in accordance with the requirements of the Land Development Code to direct traffic and for identification of a sales office, recreation areas, sales centers, etc. Such signs may be lighted or externally illuminated and incorporated into a wall, fence, or other structure. Temporary signage shall be allowed within the Project in accordance with the requirements of the LDC.
  - d. *Signage - Miscellaneous.* All signage ADA within the PUD shall not include the base structure or any decorative edging. Any of the signs within the PUD may be located either outside of the right-of-way on either side of the right-of-way or within median islands that are not a part of the right-of-way but no such signs shall be located within the public right-of-way of US Highway 1. All of the signs within the PUD shall comply with Article VII of the Land Development Code except as stated herein. All signs proposed within the County’s right-of-way shall be subject to permit by the County in the County’s sole discretion as part of a right-of-way permit.
  - e. *Street Lighting:* Street lighting shall comply with the minimum requirements of the St. Johns County Land Development Code.
6. Existing Wells and Septic. All existing wells and septic systems on the site will be properly abandoned consistent with the Florida Administrative Code and Environmental Health procedures prior to construction plan approval for any vertical construction. The only exception is for wells that may be used post-development if they are properly permitted. All wells and septic systems shall be located and abandoned prior to horizontal construction plan approval (clearing and grading).

H. **Infrastructure:**

- 1. Stormwater. Stormwater will be handled on site with a series of ponds or lakes throughout the site and conveyed via the roadways and/or piping within appropriate easements. The drainage structures and facilities will be designed and constructed in compliance with the Land Development Code and other requirements in effect at the time of permitting, subject to the permitting requirements of the St. Johns River Water Management District. The drainage easements for the stormwater lakes and ponds depicted on the MDP Map will be dedicated to an approved property owners association on future plats for maintenance, drainage and access purposes. The stormwater ponds and lakes may have fountains. Native vegetation, including grasses, trees, and understory plantings, will be installed on portions of the pond banks to promote natural features.

The project will be designed and constructed in such a manner as to maintain or eliminate the existing stormwater discharge to the Winton Circle subdivision. Also, there will be no increase in discharge of stormwater to the west, Osprey Landing subdivision.

2. Vehicular Access/Interconnectivity. All roads, streets, and parking areas shall conform to the design standards specified in the St. Johns County Land Development Code.
  - a. *Internal Roads.* Access to the property will be by one (1) entrance which directly accesses US Highway 1, as determined by the County at construction plan approval, and any improvements warranted, including right turn lane, will be installed at developer's expense. All site access improvements or related connection improvements shall be constructed at Developer's expense. The internal roadways may be publicly owned and maintained, at the County's sole discretion. The MDP Map depicts a preliminary vehicular circulation system that shows all proposed points of connection with public rights-of-way. The exact location and configuration of the internal roads shall be depicted on construction plans submitted for approval and shall be designed in accordance with the LDC.
  - b. *Vehicular Interconnectivity.* Due to the existing development surrounding the project, vehicular interconnectivity is generally not practical or desired. The site enjoys excellent direct access to US Highway 1.
  - c. *Pedestrian Interconnectivity.* The project will have a sidewalk system that connects to US Highway 1 sidewalk.
  - d. *Access.* Roadway access improvements to US Highway 1 will be at the Developer's expense and will include right deceleration lane and improvements to be determined at construction plan approval.
  
2. Sidewalks. A 4-foot wide sidewalk shall be provided on one side of each internal road as depicted on the MDP Map.

All pedestrian accessible routes shall meet the requirements of the Florida Accessibility Code for Building Construction (FACBC), adopted pursuant to Section 553.503, Florida Statutes and based on the 2010 ADA Standards for Accessible Design.

4. Parks/Recreation.

Active based recreational parks containing a minimum of 1.89 acres of active based recreation will be provided (the "Recreation Amenity Area"), including a Tot Lot and a central recreation structure, which may include fountains, a pool, benches, shade structures such as a gazebo or pavilion, and related facilities, consistent with LDC Section 5.03.03.E.1. Additional passive and active recreation may be provided through pedestrian connections between residential parcels and other



residential and recreation areas and through any open space or preservation areas, subject to compliance with applicable permitting requirements and construction plan approval.

The Developer shall be responsible for the construction of the park improvements described in this Subsection, and an approved property owners association or community development district shall be responsible for the maintenance of the improvements.

All bicycle parking facilities shall be located on the same building site as the Use for which such facilities serve and as close to the Building entrance as possible without interfering with the flow of Pedestrian or Motor Vehicle traffic and will be depicted on future construction plans.

To the extent the Florida Accessibility Code for Building Construction applies to the project, such Code Requirements shall be met.

The active recreation will be built pro rata, in compliance with LDC Section 5.03.03.E.

5. Potable Water/Sanitary Sewer. Central water and sewer service shall be provided by the SJCU. The exact location of any required lift station will be determined upon construction plan approval but the MDP Map depicts the approximate location of the planned lift station site.
6. Fire/EMS Protection. This development shall be in compliance with the Land Development Code.
7. Solid Waste. Solid waste collection shall be provided by the County-contracted waste collection company. Based upon an estimated generation of 5.71 pounds times 2.44 persons per dwelling unit, solid waste generation for 155 residential units results in an estimated 1,435 pounds per day.
8. Utilities. All electrical and telephone lines will be installed underground on the site. Electrical power will be provided by Florida Power and Light.
9. Open Space. Total open space is 9.67 acres.

<b>WETLAND PRESERVED</b>	<b>= 1.29*</b>	<b>Ac.</b>
<b>POND</b>	<b>= 4.19*</b>	<b>Ac.</b>
<b>PERIMETER BUFFER (PRESERVED UPLAND NATURAL VEGETATION)</b>	<b>= 1.77*</b>	<b>Ac.</b>
<b>OTHER OPEN SPACE</b>	<b>= 0.53*</b>	<b>Ac.</b>
<b>RECREATION REQUIRED (&gt; 10Ac)</b>	<b>= 1.89</b>	<b>Ac.</b>
<b>RECREATION PROVIDED</b>	<b>= 1.89*</b>	<b>Ac.</b>
<b>TOTAL OPEN SPACE</b>	<b>= 9.67</b>	<b>Ac.</b>
<b>PERCENTAGE OF OPEN SPACE</b>	<b>= 26</b>	<b>%</b>

10. Low Impact Development. It is the developer’s intent to implement Low Impact Development principles, that may include but not be limited to reducing overall irrigation usage, using retention ponds for irrigation water, reducing the size of stormwater management systems, proposing native plant material for planting areas, using pervious concrete in parking areas, reducing cleared and filled areas and leaving existing vegetated areas, and using bio-retention areas and swales to reduce sheet flows. The specific Low Impact Development Principles will be determined in the developer’s discretion at the time of construction plan approval.  
  
Irrigation shall be by reuse water if available. If reuse is unavailable, stormwater or the lowest quality water available shall be used until reuse becomes available. Any stormwater ponds with a surface area greater than one-half (0.5) acre shall be designed to utilize stormwater runoff for irrigation. (Policy D.3.2.6, E.2.1.6.g Comprehensive Plan, Section 6.06.02.E.3, Land Development Code)
  11. Excavation Activities. Excavation activities shall be shown on construction plans and shall be allowed within approved Development Areas (as defined by approval of construction plans) within the Project for the construction of stormwater management systems and ponds, wetland creation and/or wetland enhancement, lots and other similar uses and structures in conjunction with the development of the project, subject to all applicable permitting requirements. Additionally, fill dirt may be brought onto the project as needed to develop the project. This PUD shall allow early land clearing subject to permitting requirements of St. Johns County and the St. Johns River Water Management District appropriate for the stage of development. Prior to any such early clearing activity, the Developer shall provide to the County a tree inventory of protected trees as defined in Chapter XII of the LDC within the limits of the clearing for the road rights-of-way and the master drainage system. The Developer shall mitigate for any protected trees to be removed by such early clearing activity as required under Chapter IV of the LDC. No excavation activities will be permissible in areas utilized for density bonuses.
  12. Upland Vegetation. A minimum of 5% of upland natural vegetation will be conserved on-site within the natural/landscape buffers along the project boundaries.
  13. Preservation of Trees. The project will preserve the Specimen Live Oak Tree as identified on the MDP Map, as well as the large slash pine located in the southwest corner of the project as depicted on the MDP Map.
- I. **Potable Water/Sanitary Sewer:** Central water and sewer service will be provided by the St. Johns County Utility Department, connecting to lines along US Highway 1. Water distribution and wastewater collection/transmission facilities will be dedicated to SJCUD. Based upon an estimated use of 350 gallons per day per residence, water and sewer use for 155 residential units results in an estimated 54,250 gallons per day for potable water and an estimated 54,250 gallons per day for sanitary sewer. The source for irrigation onsite shall be reclaimed water if onsite stormwater retention is not sufficient for irrigation. If reclaimed water is unavailable, stormwater management facilities larger than one acre

shall be used as a source of irrigation, when not impracticable, until such time as reuse becomes available consistent with Comprehensive Plan Policy D.5.3.1, E.2.1.6.g.

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.) Water and/or sewer lines that are to be dedicated to the St. Johns County Utility Department for ownership that are not in the public right-of-way shall require an easement/restoration agreement.

D.) No improvements such as pavement, sidewalks, and/or concrete walks are to be placed on top of water and/or sewer pressurized mains unless otherwise approved by SJCUD. Landscaping trees and landscaping buffers shall be placed at a minimum of 7.5 feet away from the centerline of utility pipelines.

J. **Soils:** A copy of the Soils Map reflecting the soils within the PUD is attached to the Application.

TABLE 1 Summary of Soil Survey Information						
Soil Type	Constituents	Hydrologic Group	Natural Drainage	Soil Permeability (Inches/Hr)	Seasonal High Water Table	
Myakka-Myakka Wet (3)	0-80" Fine sand	A/D	Poorly Drained	0-23" 6.0 – 20 23-53" 0.6 – 6.0 53-80" 6.0 – 20	0.5-1.5	
Myakka (4)	0-80" Fine sand	A/D	Very Poorly Drained	0-17" 6.0 – 20 17-31" 0.6 – 6.0 31-80" 6.0 – 20	0.0	
Immokalee (7)	0-80" Fine sand	A/D	Poorly Drained	0-6" 6.0-20 8-40" 6.0-20 40-64" 0.6-2.0 64-80" 6.0-20	0.5-1.5	
Pomona (9)	0-47" Fine sand 47-63" Fine sandy loam 63-80" fine sand	B/D	Poorly Drained	0-6" 6.0-20 6-21" 6.0-20 21-31" 0.6-2.0 31-47" 6.0-20 47-63" 0.2-0.6 63-80" 6.0-20	0.5-1.5	

K. **Site Vegetation:** The Level III classification of the Florida Land Use Cover and Classification System Map (FLUCCS) is attached to the Application.

Residential, Low Density – FLUCFCS Code No. 110: This category refers to the two single-family homes in the north half of the property, which together amount to about 0.17 acres.

Improved Pastures – FLUCFCS Code No. 211: This upland land use characterizes the larger expanses of pasture grass-dominant vegetation that dominate the southern



half of the property, covering a total of approximately 8.42 acres. Vegetation consists of grazed Bahia grass, Bermuda grass, blackroot, milk pea, sweet broom, capeweed, and dollarweed. Scattered live oak, slash pine, Chinese tallow, winged sumac, cedar, and saw palmetto are also present. Underlying soils are composed of non-hydric loamy dry fine sand. No wetland hydrologic indicators were observed.

Horse Farms – FLUCFCS Code No 251: This category refers to the two stables present on the site, which account for about 0.16 acres.

Herbaceous – FLUCFCS Code No. 310: This non-forested upland community occupies a total of +/-4.75 acres, mainly around the two homes in the north half of the site. Vegetation consists of maintained Bahia grass, St. Augustine grass, and capeweed. Scattered slash pine, cabbage palm, and live oak are also present. Underlying soils are composed of non-hydric loamy fine sand, with no wetland hydrologic indicators present.

Pine Flatwoods – FLUCFCS Code No. 411: This forested upland community is found in lobes and swaths across the site, particularly in the north half of the site. The total area occupied by this community on the property is estimated at 6.54 acres. It contains a canopy of slash pine over a midstory of saw palmetto, saltbush, and winged sumac, and a ground cover of southern fox grape, brackenfern, poison ivy, and catbriar. Portions of this community near the single-family homes have an understory that has been cleared and maintained in lawn grasses. Live oak is a significant component in the westmost community and some sand pine is present in some of the northern communities. Soils are non-hydric, and no wetland hydrologic indicators are present.

Water – FLUCFCS Code No 500: This category refers to two man-made upland-cut ponds, which together amount to about 0.84 acres. The ponds are regulated by SJRWMD as “surface waters,” not wetlands.

Cypress – FLUCFCS Code No. 621: This forested wetland community is present in several areas within the eastern half of the site (Wetlands F, part of G, and I) and along the south property boundary (Wetlands E and H), covering a total of approximately 4.320 acres. It contains a canopy of cypress, red maple, and slash pine over a midstory of wax myrtle, dahoon holly, Florida dogwood, Chinese tallow, and gallberry, and a ground cover of Virginia chain fern, poison ivy, marsh pennywort, maidencane, and royal fern. Underlying soils are hydric, consisting of mucky-textured sand. Hydrologic indicators include high-water marks, cypress knees, elevated lichen lines, and buttressed tree bases.

Hydric Pine Flatwoods – FLUCFCS Code No. 625: This forested wetland community is found in four areas in the north half of the site (Wetlands A, B, C, and part of G), covering a total of about 4.184 acres. They contain a canopy of slash pine, with components of red maple, sweet bay, water oak, cypress, and Chinese tallow over wax myrtle, saltbush, Virginia chain fern, and softrush. Soils are hydric, being composed of mucky-textured sand and sand imbedded with large mucky

organic bodies. Hydrologic indicators include base-buttressing of trees and high-water marks.

Wet Prairie – FLUCFCS Code No 643: This non-forested wetland (Wetland D) is located north of the central residence, where it occupies approximately 0.154 acres. It is dominated by a thick cover of torpedo grass, an invasive wetland species. Soils consist of hydric sand imbedded with large mucky organic bodies. Hydrologic indicators suggest this community is inundated most of the year.

Roads and Highways – FLUCFCS Code No. 814: This category refers to Bella Terra Drive, which covers approximately 0.59 acres on the site

L. **Significant Natural Communities Habitat:**

The subject property also does not contain any significant natural communities habitat.

**Listed Species:**

There is no indication of any listed species or listed species habitats on the property. It appears that site development will not result in adverse effects to any listed species.

M. **Historic Resources:** A Cultural Resource Assessment Survey was completed by Dana Ste. Claire with Heritage Cultural Services in May 2023. No pre-historic factors were encountered, however, an historic homestead site (SJ08031) was identified in the northeastern section of the subject parcel. This site was recommended as ineligible for listing in the National Register of Historic Places and therefore no additional work is recommended. Archaeological review is complete. However, in the event that archaeological and historical resources are encountered during ground disturbing activities, all work shall halt and the St. Johns County Environmental Division shall be contacted immediately at 904-209-0623. (Policy A.1.4.6 Comprehensive Plan).

N. **Buffers:** The development will conform to all land clearing and tree replacement requirements outlined within the Land Development Code effective at the time of permitting.

**Perimeter Buffer:** The project shall have a minimum ten (10) foot natural/landscape buffer along the project boundaries. Perimeter fencing may be provided along portions of the project boundary to provide screening in those areas where there is limited existing natural vegetation as part of a reduction in perimeter buffering pursuant to the Land Development Code.

**Widened Perimeter Buffer:** In the areas adjoining the existing residential to the northwest, west (Osprey Landing) and south (Winton Circle), the perimeter buffer will be increased to twenty (20) feet as depicted on the MDP Map except for the area with the Specimen Live Oak Tree is located which will be preserved.

**Compatibility Buffer:** The project shall have a twenty (20) foot 20/B Compatibility Buffer along the northern boundary and a portion of the east boundary (adjacent to commercial zoning) as depicted on the MDP Map.



**Landscaping and Irrigation:** The development shall be subject to LDC Section 6.06.00 regarding landscaping and irrigation.

**Buffering on US 1:** Arterial buffer standards (LDC Section 6.06.04.B.6) will be met along the US 1 frontage.

O. **Special Districts:** This PUD is not located in a Special District as defined by Article III of the St. Johns County Land Development Code.

P. **Temporary Uses:** All temporary uses allowed within the PUD will comply with the requirements of the Land Development Code. Development of this site and construction of the improvements may require temporary uses such as construction trailers, sales offices, or other trailers, temporary signage or temporary access, which uses shall meet all requirements of the Florida Accessibility Code for Building Construction (FACBC), including but not limited to an accessible route, accessible parking and signage. Temporary sales and construction trailers and other temporary improvements shall be removed from a lot or parcel before any improvements on such lot or parcel receive a certificate of occupancy from the County. Approximate locations of temporary construction trailers will be shown on engineering and construction plans. Model homes may be used as temporary sales centers and construction offices after as-built approval. Parking for the model homes and sales offices will be located within the driveway or on adjacent stabilized areas until roadway improvements have been approved by the County. Model homes may have one sign each, located on the lot. As allowed by the Land Development Code, model homes may be constructed prior to platting. Model homes must be located on a residential lot shown on the approved MDP. Model homes shall not equal more than 10% of the total number of lots allowed under an approved development permit. No certificates of occupancy shall be released until a final plat has been recorded and As-Builts have been approved by the County.

Q. **Accessory Uses:** All accessory uses and structures as provided in the Land Development Code are allowed within the project, provided such uses are of a nature customarily incidental and clearly subordinate to the permitted or principal use of the structure. The setbacks for accessory uses for residential development are addressed in subparagraph G. above. Accessory uses, such as home offices, pets, etc. will be allowed as per the requirements for residential districts stipulated within the Land Development Code.

R. **Timing and Phasing:** The development will be developed in one 10-year phase, which shall commence within 10-years of the effective date of this PUD.

"Commencement" for purposes of this Section R is defined as approval of construction plans by the County. The project will be completed within five years of commencement. "Completion" of development shall be defined as County approval of the as-builts for all improvements.

The recreation improvements shall be shown on the construction plans at the time of final construction plan approval.

The Developer will dedicate the Recreation Amenity Area to an approved property owners association and will clear, grade, and construct the improvements within the Recreation Amenity Area described in Section H.4 above.

- S. **Project Impact:** The project will provide on-site stormwater drainage facilities. The overall design incorporates green space, open space and varied active on-site recreational opportunities. The utility has capacity and will provide all of the water and sewer facilities for the project. The project will therefore have minimal impact on the facilities and infrastructure of St. Johns County. The project is located within an area designated for residential development in the St. Johns County Comprehensive Plan. The project is also located within an area which is experiencing strong demand for housing in St. Johns County. The project will meet the demand for housing by residents of St. Johns County. The existing zoning district would not permit the property to meet the housing demand. The PUD zoning, rather than conventional residential zoning, allows the developer and the County greater control over development within this project. The developer has a present need and demand for residential units.

T. **Waivers:**

Corner Lots. Waiver to Land Development Code Sections 6.01.03.E.3 and 6.01.03.E.4. to allow second front yard setback to be reduced to 15 feet on corner lots and through lots. The subject lots are corner lots and would otherwise be subject to having two front yards. The requested setback reduction will allow the lots to be treated like the others in the neighborhood, thus allowing for houses of similar widths. Without the waiver, some of the houses would have to be narrower in width. The subject lots are entirely within the project and the setback reduction will not be visible outside of the project boundary and, therefore, not impact surrounding properties.

Mechanical Equipment. Waiver to Land Development Code Section 6.01.03.H.2., to allow mechanical equipment, such as air conditioning units, pumps, heating equipment, solar panels, and similar installations, and screening and housing for such equipment, to project into the required Side Yard and be located within three (3) feet of lot lines. Without the waiver, there could be no such mechanical equipment in Side Yards as the project is designed with five (5) foot side yards. This would force the mechanical equipment into rear yards, which causes the loss of use and enjoyment of rear yards.

- U. **Ownership/Agreement:** All successors in title to the Property shall be bound to and agree to comply with the commitments and conditions of the approved PUD.
- V. **Future Land Use Designation:** The project lies within the Mixed Use Future Land Use designation. The total upland and wetland acreage for the project is addressed in subparagraphs B. and C. above and within the Development Summary contained in the MDP Map.

The Bella Terra PUD is infill development located in an area largely surrounded by existing or proposed development in a Mixed Use area as designated on the Future Land Use Map.

Consistency with Comprehensive Plan: The project is located within the Mixed Use category of the 2025 St. Johns County Comprehensive Plan, with a net residential density for the project of within the allowable density for this land use designation and consistent with the overall area.

Development of the project is consistent with the St. Johns County Comprehensive Plan as it is located within a "Mixed Use" on the FLUM, which allows the type of development envisioned within the PUD.

The project is consistent with Objective A.1.2 Control of Urban Sprawl, in that the project does not constitute leapfrog development. It is consistent with Objective A.1.3 Surrounding Land Use and it is compatible with the adjacent existing residential development to the west and north per Policy A.1.3.11 Compatibility, whereas the property provides buffers to adjacent land uses and along the major roadways and Policy A.1.3.11. It is also consistent with Objectives A.1.9 (A.1.9.2, A.1.9.5, A.1.9.6, A.1.9.7, and A.1.9.8.) area wide as, in addition, development will meet Policy A.1.9.5 regarding application by the provisions of the Planned Unit Development land development regulations, Policy A.1.9.5 by providing a Master Development Plan, and Policy A.1.9.6 by being served by central utilities. The project additionally satisfies Objective A.1.13 Community and Neighborhood Creation and Preservation. The development is located within the Mixed Use area of the St. Johns County Comprehensive Plan making the proposed rezoning consistent with the Comprehensive Plan.

Location: The project is located within Mixed Use designations on the 2025 FLUM, which allows for the type of development envisioned within the PUD. Therefore, the project conforms to the requirements for location as stipulated within the Land Development Code.

Minimum Size: The area encompassed by this project is greater than the minimum size criteria for development under the criteria established within Article V of the Land Development Code.

Compatibility: The proposed use is compatible with the area and the overall community and meet the criteria established within Objective A.1.3 Surrounding Land Use, which provides that "When a rezoning is considered, the County shall ensure compatibility of adjacent and surrounding land uses. Land uses, as defined in Chapter 163, Part II, Florida Statutes (Growth Management Act), include but are not limited to permitted uses, structures and activities allowed within the land use category or implementing zoning district. Compatibility means a condition in which land uses can co-exist over time such that no use is unduly negatively impacted by another use." Since, the County must determine whether the request is compatible, it is important to note that the surrounding uses do meet the criteria within the previous Objective, within Policy A.1.3.11, which states that "A rezoning request may be approved only upon determination that the application and evidence presented establish that all the proposed permitted uses are compatible with conforming land uses located on adjacent properties." Adjacent land uses surrounding this property include residential to the west and south, mobile home and office to the north, and commercial and other undeveloped land to the east. The proposed use

of the property is compatible with the area and the uses on the adjacent properties and is in conformance with the criteria established within the Comprehensive Plan whereby the permitted uses will not have an unreasonable incompatible impact on the contiguous and surrounding area; the proposed traffic flow for the permitted uses will not have an unreasonable impact on the contiguous or surrounding areas or an unreasonable impact on the wear and tear of any public roadway; the proposed permitted uses will not cause a public nuisance; and the proposed permitted uses, structures and activities within the PUD are allowable within the Mixed Use Future Land Use designation. The proposed rezoning will not change the existing and allowable land uses, their impact to the surrounding area, the traffic flow for the site, or provide for any activities constituting a public nuisance.

**Adequacy of Public Facilities:** The subject property and future project is served by a major transportation system, central water and sewer and will provide on-site stormwater and drainage facilities that mitigate any off-site drainage impacts. The PUD will proceed under a Certificate of Concurrency consistent with Objective A.1.2 Control of Urban Sprawl, specifically Policy A.1.2.1 which states “The County shall only issue development orders or development permits consistent with the provision of the County’s Concurrency Management System, as provided in the Land Development Code.

**Relation to PUD Regulations:** The subject project meets all applicable requirements of Section 5.03.00 Planned Unit Development districts, as well as general zoning, subdivision and other regulations except as may be waived pursuant to Subsection 5.03.02 (F) of the Land Development Code.

**Master Development Plan:** The Master Development Plan Text and Map for this project meet all requirements of Section 5.03.02 (G) of the Land Development Code.



**LEGAL DESCRIPTION**

**PROPOSED P.U.D. DESCRIPTION**

A PARCEL OF LAND IN GOVERNMENT LOT 9 AND GOVERNMENT LOT 10, SECTION 18, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY BOUNDDED AND DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 10; THENCE SOUTH 88°21'28" WEST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 10 A DISTANCE OF 1388.98 FEET TO THE WEST LINE OF GOVERNMENT LOT 10; THENCE NORTH 00°56'58" WEST ALONG SAID WEST LINE OF GOVERNMENT LOT 10, A DISTANCE OF 884.81 FEET; THENCE DEPARTING SAID WEST LINE OF GOVERNMENT LOT 10 NORTH 01°41'28" EAST, ALONG THE NORTHERLY LINE OF SECTION 18, TOWNSHIP 8 SOUTH, RANGE 30 EAST, A DISTANCE OF 864.03 FEET TO THE SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 716, PAGE 318, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 88°20'11" EAST, ALONG SAID NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 716, PAGE 318, A DISTANCE OF 734.84 FEET TO THE WEST LINE OF PARCEL 6 OF THOSE LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 916, PAGE 1817, OF SAID PUBLIC RECORDS; THENCE SOUTH 0°58'38" EAST, ALONG SAID WEST LINE OF PARCEL 6 OF THOSE LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 916, PAGE 1817, A DISTANCE OF 76.00 FEET TO THE SOUTHWEST CORNER OF SAID LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 916, PAGE 1817; THENCE NORTH 88°20'11" EAST, ALONG THE SOUTH LINE OF SAID LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 916, PAGE 1817, A DISTANCE OF 76.00 FEET TO THE SOUTHEAST CORNER SAID LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 916, PAGE 1817; THENCE SOUTH 0°58'38" EAST, A DISTANCE OF 10.18 FEET TO THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1884, OF SAID PUBLIC RECORDS; THENCE SOUTH 88°22'40" WEST, ALONG SAID NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1884, A DISTANCE OF 100.00 FEET TO THE WEST LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1884; THENCE SOUTH 0°58'38" EAST, ALONG THOSE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1884, A DISTANCE OF 100.00 FEET TO THE SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1884; THENCE NORTH 88°22'40" EAST, ALONG SAID SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4714, PAGE 1884, A DISTANCE OF 100.00 FEET; THENCE SOUTH 0°58'38" EAST, A DISTANCE OF 60.00 FEET TO THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 428, OF SAID PUBLIC RECORDS; THENCE SOUTH 88°21'40" WEST, ALONG SAID NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 428, A DISTANCE OF 100.00 FEET TO THE WEST LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 428; THENCE SOUTH 0°58'38" EAST, ALONG SAID WEST LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 428, A DISTANCE OF 100.00 FEET TO THE SOUTH LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 428; THENCE NORTH 88°22'40" EAST, ALONG SAID SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3169, PAGE 428, A DISTANCE OF 41.17 FEET TO THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2366, PAGE 1894, OF SAID PUBLIC RECORDS; THENCE NORTH 88°21'28" EAST, ALONG SAID NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2366, PAGE 1894, A DISTANCE OF 0.78 FEET TO THE WEST LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92, OF SAID PUBLIC RECORDS; THENCE NORTH 0°58'40" WEST, ALONG SAID WEST LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92, A DISTANCE OF 119.28 FEET TO THE NORTH LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92; THENCE NORTH 88°21'48" EAST, ALONG SAID NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92, A DISTANCE OF 322.22 FEET TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 (200.00' RIGHT OF WAY); THENCE SOUTH 08°14'12" EAST ALONG SAID WESTERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 1 (200.00' RIGHT OF WAY), A DISTANCE OF 214.44 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF U.S. HIGHWAY NO. 1 (200.00' RIGHT OF WAY) SOUTH 81°48'38" WEST, A DISTANCE OF 365.36 FEET; THENCE SOUTH 00°58'40" EAST ALONG THE WEST LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 92, SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6111, PAGE 208, AND THE EXTENDED EAST LINE OF THE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3706 PAGE 428 ALL OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, A DISTANCE OF 834.04 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 1,848,805.19 SQUARE FEET OR 07.731 ACRES MORE OR LESS.

**"EXHIBIT C"**

SITE DATA	
PROJECT SIZE	= 37.73 Ac.
WETLANDS	= 11.12 Ac.
UPLAND AREA	= 88.81 Ac.
PERCENTAGE OF UPLANDS	= 70 %
WETLAND IMPACT	= 9.88 Ac.
DEVELOPMENT AREA (INCLUDING IMPACTS)	= 38.44 Ac.
WETLAND PRESERVED	= 1.29* Ac.
POUD	= 4.19* Ac.
PERIMETER BUFFER (PRESERVED UPLAND NATURAL VEGETATION)	= 1.77* Ac.
OTHER OPEN SPACE	= 0.60* Ac.
RECREATION REQUIRED (> 10Ac)	= 1.98 Ac.
RECREATION PROVIDED	= 1.89* Ac.
TOTAL OPEN SPACE	= 0.87 Ac.
PERCENTAGE OF OPEN SPACE	= 26 %
MIN. LOT AREA	= 5,190 SF
MIN. LOT WIDTH	= 43 FT.
MIN. LOT DEPTH	= 123 FT.
(SINGLE FAMILY LOTS ON CUL-DE-SAC OR CURVE SHALL HAVE MIN. LOT WIDTH OF 25' AT R/W)	
NUMBER OF UNITS	= 156 LOTS
MAX LOT COVERAGE BY BLDGS	= 25 %
PROPERTY AS A WHOLE	= 25 %
INDIVIDUAL RESIDENTIAL LOTS	= 65 %
MAX HEIGHT OF STRUCTURES	= 36 FT.
IMPERVIOUS SURFACE RATIO (ISR)	= 75 %
SETBACKS	
FRONT (GARAGE)	= 20 FT.
FRONT (WOM-GARAGE)	= 15 FT.
SECOND FRONT (CORNER)	= 15 FT.
REAR	= 10 FT.
SIDE	= 5 FT.
* INCLUDED IN OPEN SPACE TOTAL	



**FLOOD MAP**

1" = 300'



**LOCATION MAP**

1" = 1000'

The Master Development Plan Map is a general representation of the approved plan of development. Field observations and engineering plans must demonstrate compliance with all requirements of the PD/MDP and other applicable land development regulations.

APPROVED: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 ORDINANCE NO.: \_\_\_\_\_  
 FILE NUMBER: \_\_\_\_\_

NO.	DATE	REVISIONS DESCRIPTION	BY:

DESIGNED BY: MR  
 DRAWN BY: MR  
 CHECKED BY: DMT  
 SCALE: AS NOTED  
 DATE: December 1, 2023  
 PROJ. NO.: 0023-9

**DAI** Dunn & Associates, Inc.  
 CIVIL ENGINEERS / LAND PLANNERS  
 8947 Regatta Road Building 1, Suite 200  
 Jacksonville, Florida 32256  
 Phone (904)383-3978 Fax (904)383-6977

**BELLA TERRA PUD**  
 IN HOME ACKNOWLEDGEMENT  
 ST. JOHNS COUNTY, FLORIDA  
 MASTER DEVELOPMENT PLAN

Sheet No. 1 of 8  
**MDP-1**  
 DWG. NO.

BELLA TERRA PUD





# LOCALiQ

FLORIDA

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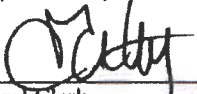
STATE OF WISCONSIN, COUNTY OF BROWN

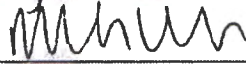
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State of Wisconsin



**NOTICE OF A PROPOSED REZONING**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held on 3/7/2024 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 4/2/2024 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 37.73 acres of land from Open Rural (OR), Commercial General (CG), and Commercial Intensive (CI) with conditions to Planned Unit Development (PUD) to allow for a maximum 155 single family dwelling units.

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), COMMERCIAL GENERAL (CG), COMMERCIAL INTENSIVE (CI) WITH CONDITIONS TO PLANNED UNIT DEVELOPMENT (PUD); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at US 1 South at Bella Terra Drive 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  
MEAGAN PERKINS, CHAIR  
FILE NUMBER: PUD-2023000021  
PROJECT NAME: Bella Terra PUD

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
SARAH ARNOLD, CHAIR





## FLORIDA DEPARTMENT of STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

April 8, 2024

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



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. 2024-14, which was filed in this office on April 8, 2024.

Sincerely,

Matthew Hargreaves  
Administrative Code and Register Director

MJH/wlh