2	**AGENDA ITEM** **ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS**
	Deadline for Submission - Wednesday 9 a.m. – Thirteen Days Prior to BCC Meeting

11/17/2026

BCC MEETING DATE

TO: **Joy Andrews, County Administrator** **DATE:** **October 23, 2026**

FROM: **Evan Walsnovich, Planner** **PHONE:** **904 209-0596**

SUBJECT OR TITLE: **ENCERT 2026-16 King**

AGENDA TYPE: **Business Item, Public Hearing, Report**

BACKGROUND INFORMATION:

Application for Agricultural Enclave Certification, pursuant to Sections 163.3162 and 163.3164, Chapter 2026-34, Florida Statutes. This certification request includes approximately 36.63 acres of land. The subject property is located at 9400 Byrd Road in Hastings, Florida.

1. IS FUNDING REQUIRED? No **2. IF YES, INDICATE IF BUDGETED.** No

IF FUNDING IS REQUIRED, MANDATORY OMB REVIEW IS REQUIRED:

INDICATE FUNDING SOURCE:

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Motion to approve Agricultural Enclave Certification Application ENCERT 2026-16 King upon finding that, based upon the competent substantial evidence contained in the record, the application demonstrates that the subject parcels satisfy the statutory definition of an agricultural enclave contained in Section 163.3164(4), Florida Statutes, and the certification requirements of Section 163.3162(4)(a), Florida Statutes.

DENY: Motion to DENY Agricultural Enclave Certification Application ENCERT 2026-16 King finding, based upon the competent substantial evidence contained in the record, that the subject property does not satisfy the statutory definition of an agricultural enclave under Section 163.3162(4), Florida Statutes; and direct the office of the County Attorney to prepare the final written order, including Findings of fact and conclusions of Law supporting the Board's determination, as required by Section 163.3162(4).

For Administration Use Only:
Legal: Kealey West 11/3/2026 **OMB: ARM 11/3/2026** **Admin: JDD 11/3/2026**

Growth Management Department
Planning Division Report
Application for an Agricultural Enclave Certification
ENCERT 2026-16 King

To:	Board of County Commissioners
From:	Evan Walsnovich, Planner
Date:	October 26, 2026
Subject:	**ENCERT 2026-16 King,** a request to certify PARCEL ID# 049530-0000 as an Agricultural Enclave per Florida Statute Section 163.3162(4) and 163.3164(4).
Applicants:	Angel King, Trustee
Owner:	Emory K. King Rev Living Trust
Hearing Dates:	Board of County Commissioners – November 17, 2026
Commissioner District:	District 2

SUMMARY:

The 2026 amendments to Sections 163.3162 and 163.3164, Florida Statutes establish a process allowing property owners to request certification that a property qualifies as an Agricultural Enclave before submitting a development application. Within thirty (30) days after receipt of an application, the local government is required to provide the applicant with a written report evaluating whether the application complies with the statutory requirements. The Board of County Commissioners must thereafter conduct a public hearing to determine whether the application satisfies the statutory definition of an agricultural enclave contained in Section 163.3164(4), Florida Statutes, and the certification requirements of Section 163.3162(4)(a), Florida Statutes.

The applicant is seeking certification of an Agricultural Enclave located at Parcel ID# 049530-0000. The property is approximately 36.626 acres and is located at 9400 Byrd Road in Hastings, Florida.

County staff reviewed the application materials submitted by the Applicant together with information independently verified by County staff and prepared the written report required by Section 163.3162(4)(a), Florida Statutes.

Based upon the application materials submitted and staff's independent review, the application does not appear to demonstrate that the subject parcels satisfy the statutory definition of an agricultural enclave contained in Section 163.3164(4), Florida Statutes, and the certification requirements of Section 163.3162(4)(a), Florida Statutes. The detailed analysis supporting staff's preliminary evaluation is contained in the Agricultural Enclave Certification Report prepared pursuant to Section 163.3162(4)(a), Florida Statutes, which is attached as Attachment 1 and incorporated herein by reference.

BOARD DETERMINATION

Pursuant to Sections 163.3162 and 163.3164, Florida Statutes, the Board of County Commissioners shall determine whether the application satisfies the statutory definition of an agricultural enclave based upon the application, the written report prepared pursuant to Section 163.3162(4)(a), Florida Statutes, testimony presented during the public hearing, and any other competent substantial evidence contained in the record.

Certification of an agricultural enclave constitutes only a determination that the statutory requirements for certification have been satisfied. Any subsequent comprehensive plan amendment or development application remains subject to the procedures established by Section 163.3162, Florida Statutes.

CORRESPONDENCE/PHONE CALLS

At the time of writing this staff report, staff has not received any calls, emails, or other forms of correspondence in response to this application.

SUGGESTED ACTION

APPROVE: Motion to approve Agricultural Enclave Certification Application **ENCERT 2026-16 King** upon finding that, based upon the competent substantial evidence contained in the record, the application demonstrates that the subject parcels satisfy the statutory definition of an agricultural enclave contained in Section 163.3164(4), Florida Statutes, and the certification requirements of Section 163.3162(4)(a), Florida Statutes.

DENY: Motion to DENY Agricultural Enclave Certification Application **ENCERT 2026-16 King** finding, based upon the competent substantial evidence contained in the record, that the subject property does not satisfy the statutory definition of an agricultural enclave under Section 163.3162(4), Florida Statutes; and direct the office of the County Attorney to prepare the final written order, including Findings of fact and conclusions of Law supporting the Board's determination, as required by Section 163.3162(4).

ATTACHMENTS

1. Agricultural Enclave Certification Report
    A. Application and Supporting Documents

October 21, 2026

Angel King
188 Lawn Avenue
St. Augustine, FL 32084
(904)-814-7858
earthangels89@yahoo.com

RE: Agricultural Enclave Certification Report (ENCERT 2026-16)
Parcel ID#: 049530-0000

Property Location: 9400 Byrd Road, Hastings, Florida 32145

Dear Applicant:

This letter is in response to the application received by the County on September 21, 2026, for an Agricultural Enclave Certification pursuant to Section 163.3162, Florida Statutes. Within thirty (30) days after receipt of an application for Agricultural Enclave Certification, the County is required to provide the applicant with a written report detailing whether the application complies with the requirements of Section 163.3162(4)(a), Florida Statutes.

Please find the required written report attached to this letter.

If you have any questions regarding the attached report or need further assistance, I can be reached at 904-209-0596 or ewalsnovich@sjcfl.us.

Sincerely,

Evan Walsnovich, Planner

APPLICATION SUMMARY

The applicant is seeking certification of an agricultural enclave for approximately 36.63 acres of land located at 9400 Byrd Road in Hastings, Florida. The applicant has not provided any plans with their submittal but has requested a residential density of one (1) dwelling unit per acre. An aerial map has been provided below.



Adjacent Development Comparison

Criteria	North	East	South	West
FLUM	Rural/Silviculture	Rural/Silviculture	Rural/Silviculture	Rural/Silviculture
Zoning	Open Rural (OR)	Residential, General (RG-2)	Open Rural (OR)	Open Rural (OR)
Maximum Density	1 DU / 40 Acres	1 DU / 40 Acres	1 DU / 40 Acres	1 DU / 40 Acres
Existing Residential Development	Yes	No	Yes	Yes

The applicant's full application can be found in **Exhibit A - Supporting Documents** attached to this letter. This is their Supporting Evidence Index as stated in their provided narrative.

Exhibit	Document/Evidence
A	Recorded deed / legal description and survey showing the 36.626-acre tract and perimeter calls.
B	Ownership / vesting evidence showing single ownership or control.
C	St. Johns County Property Appraiser record for parcel 049530-0000.
D	St. Johns County iMap parcel, Future Land Use, zoning, aerial, and right-of-way exhibits.
E	Agricultural-use evidence: agricultural classification, leases/operator history, crop/aerial evidence, irrigation well/electricity/farm-road documentation.
F	Perimeter calculation and surrounding-development exhibits supporting the 76.54% calculation.
G	Property Appraiser / aerial evidence for existing residential development adjoining or across applicable rights-of-way, including the 9366 Byrd Road area.
H	Adjacent-density evidence, including DLG Boone parcel/zoning materials and applicable RG-2 Land Development Code provisions.
I	Public-services / concurrency materials and Applicant's proportionate-share offer under §163.3164(4)(d), as applicable.
J	Any additional County-requested supplemental information provided during the statutory review period.

Eligibility Determination:

According to Florida Statutes 163.3162(4)(a), an applicant may apply to the governing body of the local government for certification of the parcel(s) as an agricultural enclave as defined in s. 163.3164 if one or more adjacent parcels or an adjacent development permits the same density as, or higher density than, the proposed development. An applicant seeking such certification may not use the perimeter of another parcel certified by the local government as an agricultural enclave to meet the definition of the term "agricultural enclave."

Development Type	Single Family Residential
Total Acreage	36.63 acres
Standard Maximum Residential Density	1 dwelling units per 40 Net Acres

STAFF EVALUATION SUMMARY:

The 2026 amendments to Section 163.3162, Florida Statutes, establish a process allowing property owners to request certification that a property qualifies as an Agricultural Enclave before pursuing development approvals. The certification request must be submitted to the local government and requires a determination that the property meets the statutory criteria for an Agricultural Enclave. The local governing body is responsible for reviewing the application and approving or denying the certification through a public hearing.

Staff reviewed the application materials submitted by the applicant together with available County records, including, as applicable, Property Appraiser records, recorded instruments, the Comprehensive Plan, the Future Land Use Map, zoning records, aerial imagery, Geographic Information System (GIS) mapping, and other relevant information to determine whether the application demonstrates that the subject property satisfies the statutory definition of an Agricultural Enclave under Sections 163.3162 and 163.3164, Florida Statutes. Based upon the application materials submitted and staff's review, **the application does not appear to demonstrate that the subject property satisfies the statutory definition of an Agricultural Enclave** under Section 163.3164(4), Florida Statutes. As discussed below, the application does not demonstrate compliance with section 163.3164(4)(c)1, Florida Statutes, because the record does not establish that the parcel or parcels are surrounded on at least 75 percent of its perimeter by parcels that have existing industrial, commercial, or residential development.

Pursuant to the public hearing process requirements of 163.3162(4), Florida Statutes, this application is scheduled to be heard by the Board of County Commissioners on November 17, 2026 to approve or deny certification of parcel(s) and an Agricultural Enclave. Pursuant to Section 163.3162, Florida Statutes, the Board of County Commissioners shall determine, based upon the entire record before it, whether the application demonstrates that the subject property satisfies the statutory definition of an Agricultural Enclave under Section 163.3164(4), Florida Statutes. In making that determination, the Board may consider the application materials, this written report, public comment, and any other competent evidence presented at the public hearing.

Certification of an Agricultural Enclave constitutes a determination only that the subject property satisfies the statutory definition of an Agricultural Enclave under Section 163.3164(4), Florida Statutes. Certification does not approve a comprehensive plan amendment, rezoning, development order, site development plan, or authorize development. If certified, any subsequent application for development will be processed pursuant to section 163.3162(4), Florida Statutes.

CRITERIA FOR ANALYSIS

Section 163.3164(4), Florida Statutes, establishes the statutory definition of an Agricultural Enclave. Staff reviewed the application materials and supporting documentation to determine whether the application demonstrates compliance with each applicable element of the statutory definition. As defined in 163.3164(4), Florida Statutes, to be eligible for certification as an Agricultural Enclave, the following factors must apply to the requested unincorporated, undeveloped parcel or parcels of land as of January 1, 2025:

(a) Parcel or parcels are owned or controlled by a single person or entity.

Applicant response: Subject parcel is under single ownership/control; vesting record/deed is provided separately.

Staff review: According to the deeds in the application materials and St. Johns County records, staff has verified that the subject parcels were owned by a single entity, the Emory K. King Rev Living Trust since November 2, 2005. Angel King has been the successor trustee since 2021, as of January 1, 2025 and remained owned by that same entity.

Finding: Based upon the application materials submitted and staff's review, **the application appears to demonstrate compliance with Section 163.3164(4)(a), Florida Statutes.**

(b) Parcel or parcels have been in continuous use for bona fide agricultural purposes, as defined by s. 193.461, for a period of five (5) years before the date of any comprehensive plan amendment or development application.

Applicant response: Property has a long history of commercial crop production and agricultural leasing substantially exceeding five years, with irrigation infrastructure and agricultural classification/use evidence.

Staff review: Section 163.3164(4)(b), Florida Statutes, requires that the subject parcel or parcels "have been in continuous use for bona fide agricultural purposes, as defined by s. 193.461, for a period of five (5) years before the date of any comprehensive plan amendment or development application." Staff performed a review of the submitted documents and publicly available aerial imagery and tax assessment records. Historical Assessments indicate 100% agricultural greenbelt status since 2015. Publicly available aerial imagery on the County's IMAP indicates apparent agricultural use of the property for the statutorily required timeframe.

Finding: Based upon the application materials submitted and staff's review, the application **appears to demonstrate compliance with Section 163.3164(4)(b), Florida Statutes**.

(c)

1. Parcel or parcels are surrounded on at least 75 percent of their perimeter by:
    a. A parcel or parcels that have existing industrial, commercial, or residential development;
    b. A parcel or parcels that the county has designated on its zoning map and FLUM as land to be developed for industrial, commercial, or residential purposes, and at least 50 percent of such parcel or parcels is existing industrial, commercial, or residential development: or
    c. A combination of an interstate highway and one or more parcels within an urban service district, area, or line that are designated on the FLUM for industrial, commercial, or residential development.

2. Do not exceed 700 acres and are surrounded on at least 50 percent of their perimeter by property designated on the FLUM to be developed for industrial, commercial, or residential purposes; and the parcels or parcels are surrounded on at least 50 percent of their perimeter by a parcel or parcel within an urban service district, area, or line; or

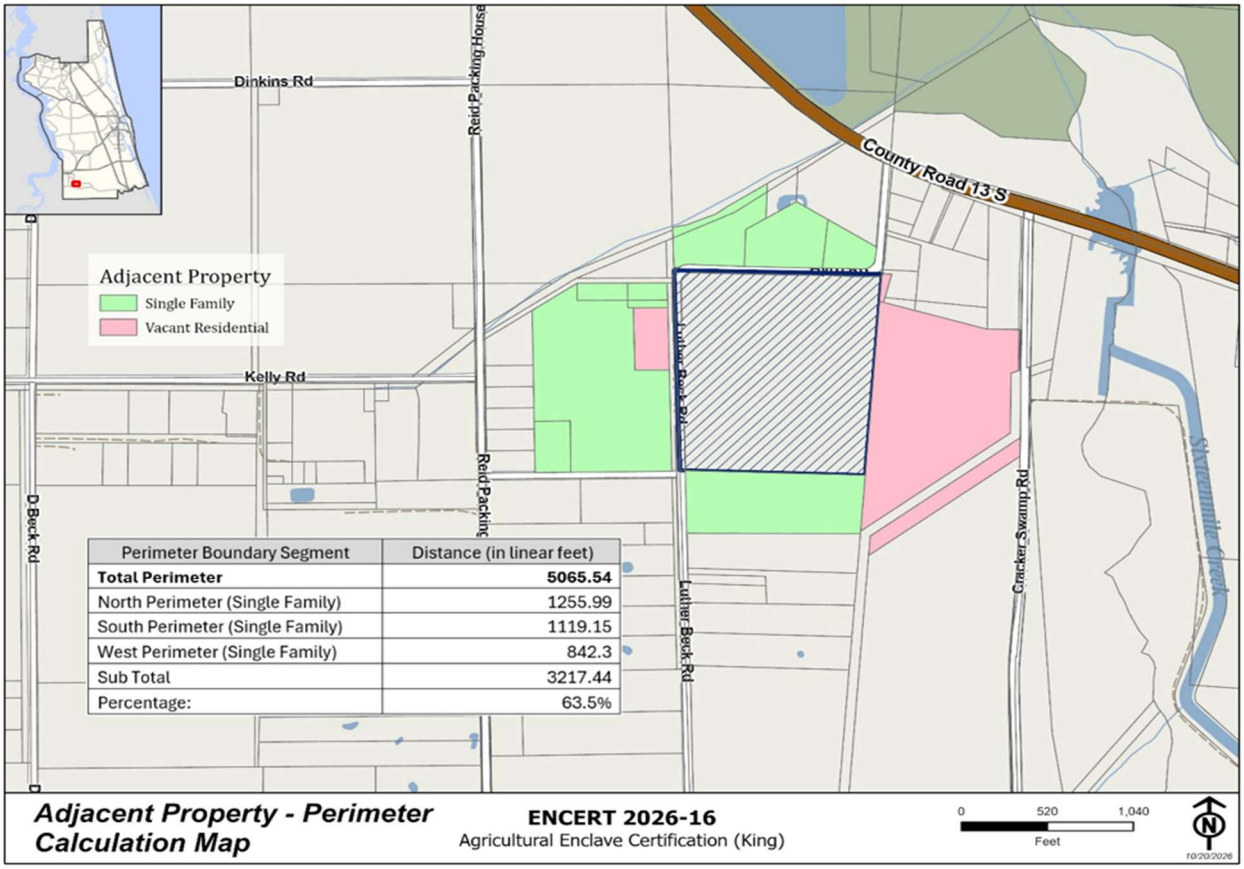
3. Are located within the boundary of an established rural study adopted on the Comprehensive Plan that was intended to be developed with residential uses.

Applicant response: Survey-based perimeter analysis identifies 3,877.39 qualifying linear feet out of 5,065.54 total linear feet, or 76.54%.

Calculation	Linear Feet / Percent
Total survey perimeter	5,065.54 LF
75% statutory threshold	3,799.16 LF
Qualifying perimeter identified	3,877.39 LF
Qualifying percentage	76.54%
Margin above 75% threshold	78.23 LF
The supporting perimeter exhibits should be read together with the legal survey, Property Appraiser records, aerial/iMap exhibits, and evidence of existing residential development adjoining or lying across applicable road rights-of-way. The County's statutory review should apply the express across-right-of-way calculation rule in §163.3164(4).	

Staff review: The applicant contends they meet the requirements of Section 163.3164(4)(c)1. Staff research finds that based on the perimeter information submitted and reviewed by staff, approximately 63.5% of the subject property's perimeter is adjacent to parcels with existing industrial, commercial, or residential development, in lieu of the 76.54% provided by the applicant in their narrative. Only those portions of the perimeter that were found to have existing industrial, commercial, or residential development may be counted toward the 75 percent requirement under section 163.3164(4)(c)1. Areas identified as vacant are regarded as lacking any industrial, commercial, or residential development and, as a result, do not meet those criteria.

As shown in the Perimeter Calculation map created by county staff (below), the green parcels have been developed with residential uses while the red parcels are either vacant or have not been developed with residential, commercial, or industrial uses.



Finding: Based upon the application materials submitted and staff's review, the application **does not appear to demonstrate compliance with Section 163.3164(4)(c)1, Florida Statutes**. **The evidence provided does not show that the subject property is surrounded by parcels with existing industrial, commercial, or residential development on at least 75 percent of its perimeter.**

(d) Have public services, including water, wastewater, transportation, schools, and recreation facilities, available or such public services are scheduled in the capital improvement element to be provided by the local government or can be provided by an alternate provider of local government infrastructure in order to ensure consistency with applicable concurrency provisions of s. 163.3180, or the applicant offers to enter into a binding agreement to pay for, construct, or contribute land for its proportionate share of such improvements;

Applicant response: Applicant relies on available transportation/access and applicable service-provider/concurrency mechanisms. To the extent additional improvements are required, Applicant offers to enter into a binding agreement to pay for, construct, or contribute land for Applicant's proportionate share of such improvements as authorized by §163.3164(4)(d).

Staff review: The Applicant has offered to enter into a binding agreement to pay for, construct, or contribute land for its proportionate share of improvements.

Finding: Based upon the application materials submitted and staff's review, the application **appears to demonstrate compliance with Section 163.3164(4)(d), Florida Statutes**.

(e) Not exceeding 1,280 acres; however, if the parcel or parcels are surrounded on at least 75 percent of their perimeter by existing or authorized residential development that will result in a density at buildout of at least 1,000 residents per square mile, the area must be determined to be urban and the parcel or parcels may not exceed 4,480 acres; and

Applicant response: The subject property is 36.63 acres, below the 1,280-acre statutory maximum.

Staff review: The subject property contains approximately 36.63 acres and therefore does not exceed the 1,280 acre maximum established in section 163.3164(e). Because the required acreage is below 1,280 acres the alternative provision permitting up to 4,4480 acres is not applicable for this application.

Finding: Based upon the application materials submitted and staff review, the application **does demonstrate compliance with Section 163.3164(4)(e), Florida Statutes**.

(f) Are located within a county with a population of 1.75 million or less.

Applicant response: St. Johns County is below the statutory population ceiling of 1.75 million.

Staff review: Review of the application and supporting documents confirms that St. Johns County has a population less than 1.75 million.

Finding: Based upon the application materials submitted and staff's review, the application **does demonstrate compliance with Section 163.3164(4)(f), Florida Statutes**.

CONCLUSION

Based upon the application materials submitted by the applicant and the information reviewed by County staff, **the application does not appear to meet all elements of the statutory definition of an agricultural enclave** contained in Section 163.3164(4), Florida Statutes, and the certification requirements of Section 163.3162(4)(a), Florida Statutes. The application does not demonstrate compliance with Section 163.3164(4)(c), Florida Statutes, because the record does not establish that the parcel or parcels are surrounded on at least 75 percent of its perimeter by parcels that have existing industrial, commercial, or residential development.

This report constitutes staff's preliminary evaluation required by Section 163.3162(4)(a), Florida Statutes. The Board of County Commissioners must conduct a public hearing and consider the application, this report, and any additional evidence presented before determining whether the subject parcel(s) satisfy the statutory definition of an agricultural enclave and whether certification should be approved or denied.

EXHIBITS

A. Supporting Documents

St. Johns County Growth Management Department

Application for: Agricultural Enclave Cert (ENCERT)

Date: 09-21-2026 Property Tax ID No: 049530-0000

Project Name: KING AGRICULTURAL ENGLAVE CERTIFICATION

Property Owner(s): EMORY K. KING REV. LIVING TRUST Phone Number: 904-814-7858

Address: 188 LAWN AVENUE Fax Number:

City: ST. AUGUSTINE State: FL Zip Code: 32084 e-mail: earthangels89@yahoo.com

Are there any owners not listed? ☒ No ☐ Yes If yes please provide information on separate sheet.

Applicant/Representative: ANGEL D. KING-TRUSTEE Phone Number: 904-814-7858

Address: 188 LAWN AVENUE Fax Number:

City: ST. AUGUSTINE State: FL Zip Code: 32084 e-mail: earthangels89@yahoo.com

Property Location: 9400 BYRD ROAD, HASTINGS, FL. 32145

Major Access: BYRD RD & LUTHER BECK Size of Property: 36.626 Cleared Acres (if applicable): 36

Zoning Class: RG-2 No. of lots (if applicable): 36 Overlay District (if applicable): N/A

Water & Sewer Provider: NONE - PRIVATE WELL & SEPTIC Future Land Use Designation: AG Intensive

Present Use of Property: AGRICULTURAL CROPLAND - CLASS 3 Proposed Bldg. S.F.: -0-

Project Description (use separate sheet if necessary)

Application for Agricultural Enclave Certification pursuant to Sections 163.3162 and 163.3164, Chapter 2026-34, LAWS OF FLORIDA, for approximately 36.626 acres located @ 9400 BYRD RD, HASTINGS, FL. Parcel No. 049530-0000. Applicant requests certification for future single-family residential development @ a maximum requested density of one (1) dwelling unit per acre. No final subdivision or development plan is proposed as part of this certification request.

Please list any applications currently under review or recently approved which may assist in the review of this application including the name of the PUD/PRD: N/A

I understand that reasonable inspections of the subject property may be made as part of the application review process. I understand that any material misrepresentations or errors contained in this application or supporting documents may void an approved application, at the reasonable determination of the County considering the Land Development Code, Comprehensive Plan, and other applicable regulations.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner or person authorized to represent this application:

Angel D. King, Trustee

Signed By

Printed or typed name(s): Angel D. King, Trustee

Revised August 24, 2015

KING AGRICULTURAL ENCLAVE CERTIFICATION

Supporting Narrative and Evidence Index

St. Johns County, Florida
Parcel / STRAP: 049530-0000
9400 Byrd Road, Hastings, Florida 32145
36.626 Acres

Prepared for ENCERT submission
September 8, 2026

Requested certification: Agricultural Enclave under §§163.3162(4) and 163.3164(4), Florida Statutes (2026)

Requested future residential density: maximum 1 dwelling unit per acre. No final subdivision layout is proposed with this certification request.

1. Application Summary

Item	Application Information
Application Type	Ag Enclave Certification (ENCERT)
Project Name	King Agricultural Enclave Certification
Parcel	049530-0000
Location	9400 Byrd Road, Hastings, Florida 32145
Legal / Survey Acreage	36.626 acres
Current Future Land Use	Agriculture Intensive, per St. Johns County iMap
Requested Future Use	Single-family residential development following certification
Requested Maximum Density	1 dwelling unit per acre
Final Subdivision Plan	None proposed as part of certification

Applicant seeks certification of the subject parcel as an agricultural enclave pursuant to §§163.3162(4) and 163.3164(4), Florida Statutes (2026), as enacted by Chapter 2026-34, Laws of Florida.

2. Statutory Qualification Basis

The subject property is presented for certification under the 2026 agricultural-enclave definition. The primary perimeter route relied upon is §163.3164(4)(c)1.a., which recognizes parcels surrounded on at least 75 percent of their perimeter by parcels having existing industrial, commercial, or residential development. Where a right-of-way, body of water, or canal lies along the perimeter, §163.3164(4) directs that the perimeter calculation be based on the parcel or parcels across that feature.

Requirement	Applicant Evidence / Position
Unincorporated, undeveloped parcel as of Jan. 1, 2025	Subject is agricultural farmland in unincorporated St. Johns County. Historical agricultural records, aerials, and tax records are submitted or available to confirm status.
Single ownership or control	Subject parcel is under single ownership/control; vesting record/deed is provided separately.
At least 5 years bona fide agricultural use	Property has a long history of commercial crop production and agricultural leasing substantially exceeding five years, with irrigation infrastructure and agricultural classification/use evidence.
75% perimeter requirement	Survey-based perimeter analysis identifies 3,877.39 qualifying linear feet out of 5,065.54 total linear feet, or 76.54%.

Public services - §163.3164(4)(d)	Applicant relies on available transportation/access and applicable service-provider/concurrency mechanisms. To the extent additional improvements are required, Applicant offers to enter into a binding agreement to pay for, construct, or contribute land for Applicant's proportionate share of such improvements as authorized by §163.3164(4)(d).
Acreage limit	36.626 acres, below the 1,280-acre statutory maximum.
County population	St. Johns County is below the statutory population ceiling of 1.75 million.

3. Survey-Based Perimeter Calculation

Calculation	Linear Feet / Percent
Total survey perimeter	5,065.54 LF
75% statutory threshold	3,799.16 LF
Qualifying perimeter identified	3,877.39 LF
Qualifying percentage	76.54%
Margin above 75% threshold	78.23 LF

The supporting perimeter exhibits should be read together with the legal survey, Property Appraiser records, aerial/iMap exhibits, and evidence of existing residential development adjoining or lying across applicable road rights-of-way. The County's statutory review should apply the express across-right-of-way calculation rule in §163.3164(4).

4. Adjacent Density and Proposed Development

Section 163.3162(4)(a) authorizes an owner to seek certification when one or more adjacent parcels or an adjacent development permits the same density as, or a higher density than, the proposed development. Applicant requests a maximum density of one (1) dwelling unit per acre and does not seek approval of a final plat or subdivision layout through this certification application.

The supporting zoning and land-use exhibits identify adjoining and nearby residential development, including RG-2 zoning along the directly adjoining DLG Boone tract and existing residential development surrounding the subject parcel. Applicant submits this evidence in support of the requested 1 dwelling-unit-per-acre density and requests that any additional information the County considers necessary under §163.3162(4)(a) be identified in the written report required within 30 days of receipt.

5. Current Land Use / Zoning Evidence

- St. Johns County iMap identifies the subject parcel's current Future Land Use as Agriculture Intensive.

- The existing-development route in §163.3164(4)(c)1.a. is separate from the zoning-and-Future-Land-Use route in §163.3164(4)(c)1.b.
- Existing homes and mobile-home residential development were identified around the subject parcel, including parcels across applicable road rights-of-way.
- County mapping also identifies RG-2 residential zoning on the directly adjoining DLG Boone tract and Rural Commercial areas nearby.

6. Supporting Evidence Index

Exhibit	Document / Evidence
A	Recorded deed / legal description and survey showing the 36.626-acre tract and perimeter calls.
B	Ownership / vesting evidence showing single ownership or control.
C	St. Johns County Property Appraiser record for parcel 049530-0000.
D	St. Johns County iMap parcel, Future Land Use, zoning, aerial, and right-of-way exhibits.
E	Agricultural-use evidence: agricultural classification, leases/operator history, crop/aerial evidence, irrigation well/electricity/farm-road documentation.
F	Perimeter calculation and surrounding-development exhibits supporting the 76.54% calculation.
G	Property Appraiser / aerial evidence for existing residential development adjoining or across applicable rights-of-way, including the 9366 Byrd Road area.
H	Adjacent-density evidence, including DLG Boone parcel/zoning materials and applicable RG-2 Land Development Code provisions.
I	Public-services / concurrency materials and Applicant's proportionate-share offer under §163.3164(4)(d), as applicable.
J	Any additional County-requested supplemental information provided during the statutory review period.

7. Request for Certification

Based on the foregoing and the separately uploaded supporting evidence, Applicant respectfully requests that St. Johns County certify Parcel 049530-0000 as an agricultural enclave pursuant to §§163.3162(4) and 163.3164(4), Florida Statutes (2026).

Applicant further requests that the County provide the written compliance report required by §163.3162(4)(b) within 30 days of receipt and process the certification in accordance with the hearing and decision deadlines in §163.3162(4)(c).

Submitted by: Angel D. King
Owner / Applicant
King Agricultural Enclave Certification
Date: September 8, 2026

8. Authorities

Florida Statutes §163.3162 (2026): https://www.flsenate.gov/Laws/Statutes/2026/163.3162

Florida Statutes §163.3164 (2026): https://www.flsenate.gov/Laws/Statutes/2026/163.3164

Chapter 2026-34, Laws of Florida: https://laws.flrules.org/2026/34

St. Johns County Application Submittal Management - ENCERT:
https://webapp.sjcfl.us/CSubmitalWeb/AppPicklist?ApplType=ENCERT&View=Apps

Note: This supporting narrative is submitted as factual and statutory support for the County certification application. It is not a substitute for the legal survey, ownership documents, or other exhibits uploaded separately.

KING AGRICULTURAL ENCLAVE CERTIFICATION

Supporting Property & Agricultural Use Evidence

Parcel 0495300000 - 9400 Byrd Road, Hastings, Florida

Purpose

This exhibit package compiles official Property Appraiser records, historical agricultural classification evidence, the historical deed/legal description, the 36.626-acre survey, and recent agricultural lease and payment evidence supporting the Agricultural Enclave Certification application.

Agricultural-use evidence statement

The St. Johns County Property Appraiser records provide year-by-year evidence of agricultural classification and continuity. The historical agricultural classification renewal further corroborates the parcel's long-term agricultural classification. Copies of the 2024-2025 and 2025-2026 Smith Brothers Enterprises lease agreements and related payment documentation are submitted as supplemental proof of ongoing commercial agricultural use. Parcel identity and legal description are established by the recorded deed, survey, and Property Appraiser records for Parcel No. 0495300000.

Exhibit Index

Exhibit A: Current Property Appraiser - Parcel, Owner, Cropland Class 3
Exhibit B: Current 2026 Agricultural Valuation and Parcel Aerial
Exhibit C: Property Appraiser Agricultural Assessment History - 2025 through 2023
Exhibit D-1: Property Appraiser Agricultural Assessment History - 2022 through 2020
Exhibit D-2: Historical Agricultural Classification Renewal - Parcel 049530-0000
Exhibit E-1: 1991 Corporate Warranty Deed - Historical Chain / Legal Description
Exhibit E-2: 1991 Corporate Warranty Deed - Exhibit A Legal Description
Exhibit F-1: 1988 Surveyor Description and Certification - 36.626 Acres
Exhibit F-2: 1988 Survey Sketch - Government Lot 3
Exhibit G-1: Smith Brothers Enterprises Lease - Sept. 2024 through Aug. 2025
Exhibit G-2: Smith Brothers Enterprises Lease - Sept. 2025 through Aug. 2026
Exhibit G-3: Smith Brothers Enterprises Lease Payment Documentation - 2025/2026

The leases and payment record are corroborating commercial-use evidence; they are not relied upon as the sole source of parcel identity or legal description.

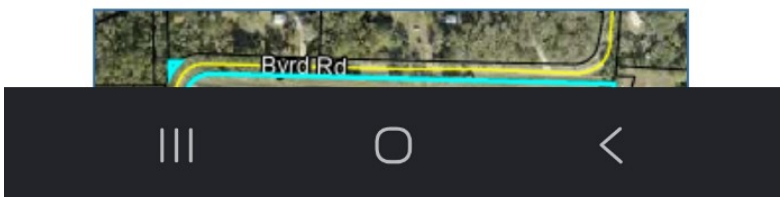


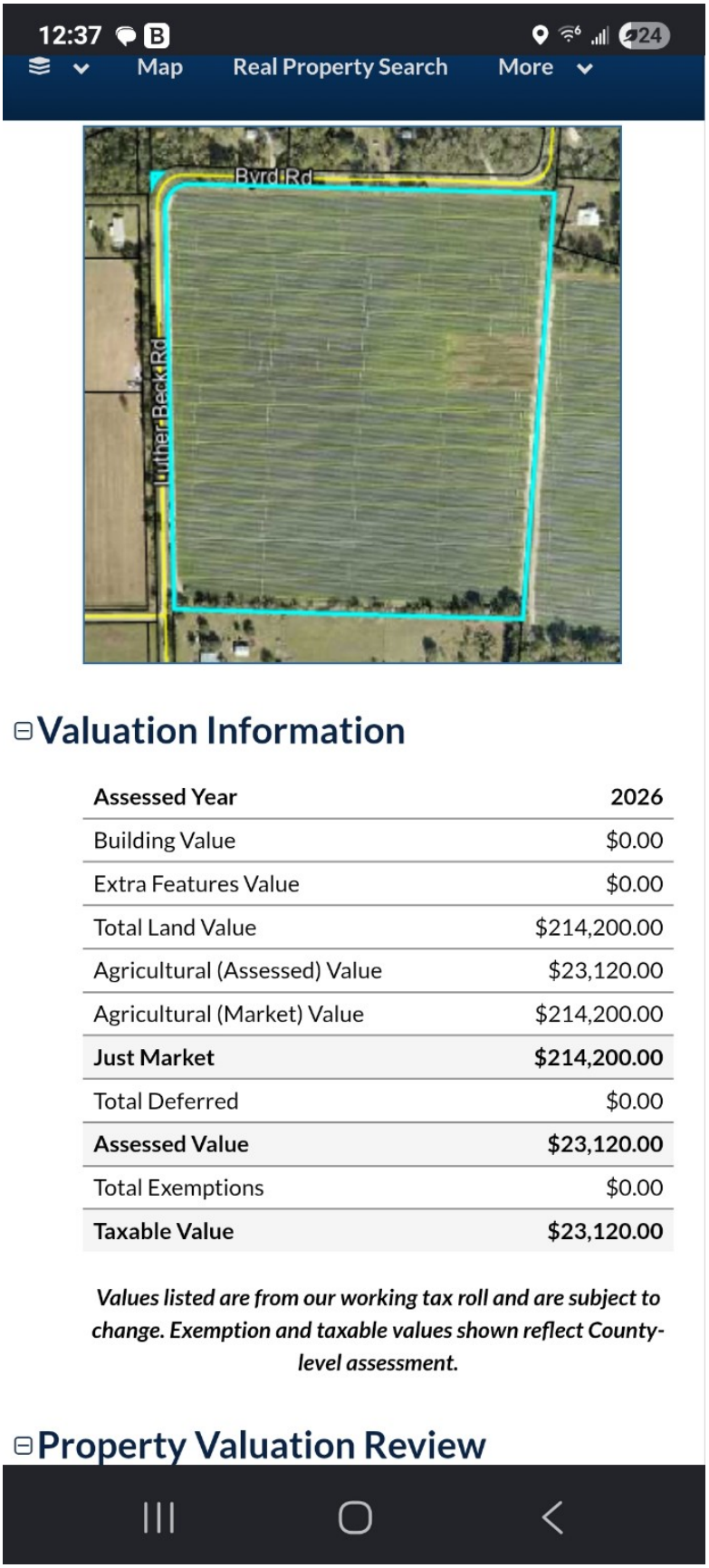
Parcel ID	0495300000
Location Address	9400 BYRD RD HASTINGS 32145-0000
Neighborhood	Estes & Erwin Subdivision (SF) (199)
Tax Description*	7 GOVT LOT 3 (EX ANY PT IN LUTHER BECK RD SJC RES 2002-71 OR1758/1550) OR891/991&1349/800(Q/C) &2592/1005(Q/C)
***The Description above is not to be used on legal documents.**	
Property Use Code	Cropland Class 3 (5300)
Subdivision	N/A
Sec/Twp/Rng	34-9-28
District	Hastings Drainage (District 153)
Millage Rate	13.4686
Acreage	34.000
Homestead	N

Owner Information

KING EMORY REV LIVING TRUST
100%
C/O ANGEL KING
188 LAWN AVE
SAINT AUGUSTINE, FL 32084

Map



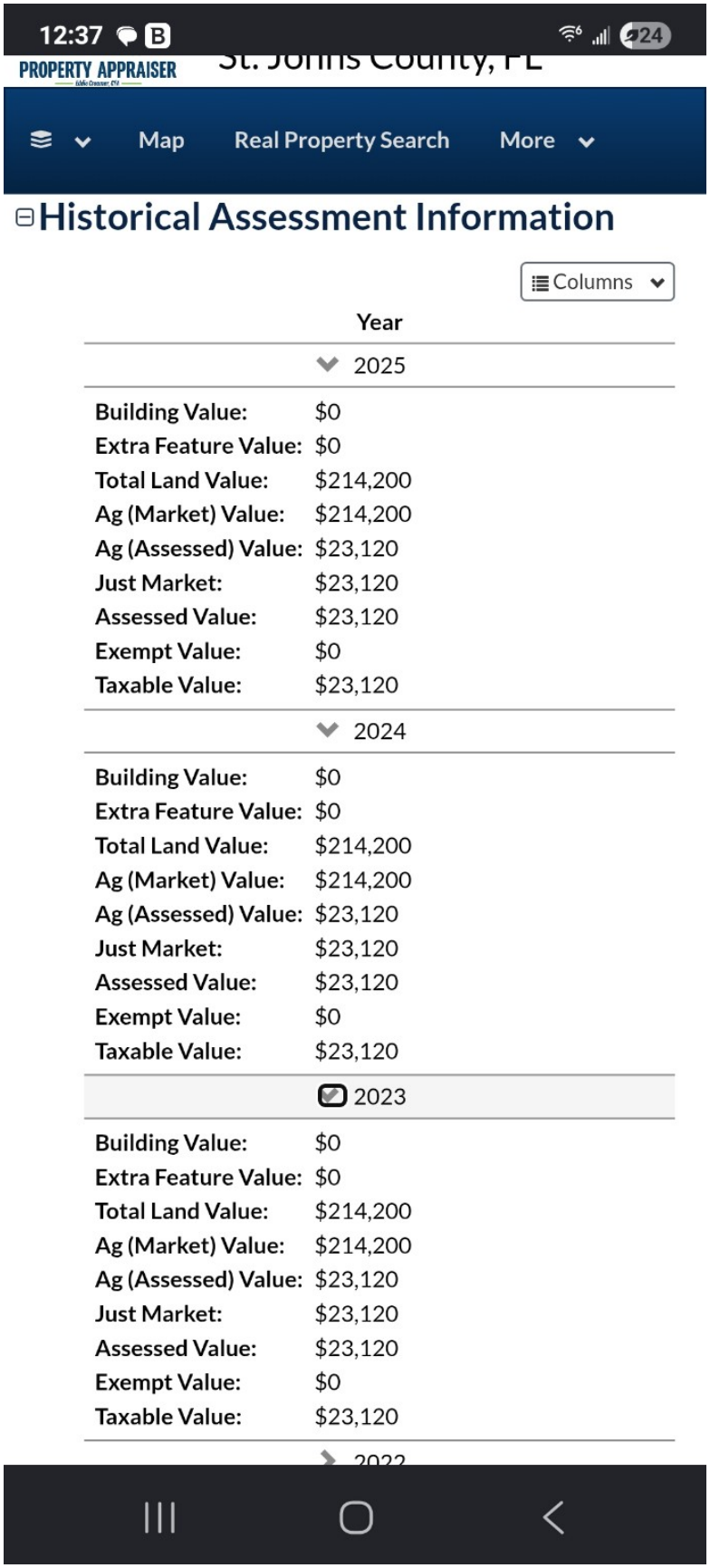


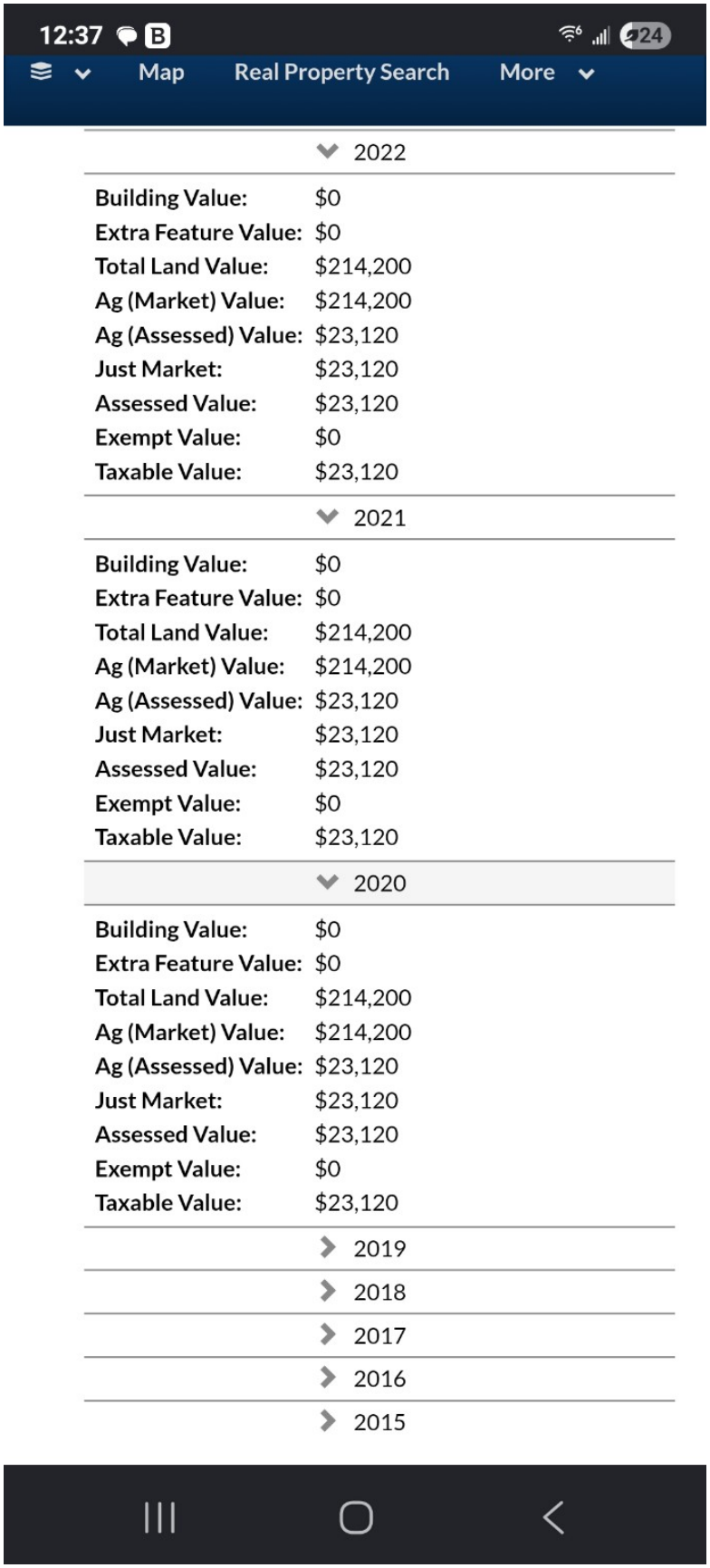
Valuation Information

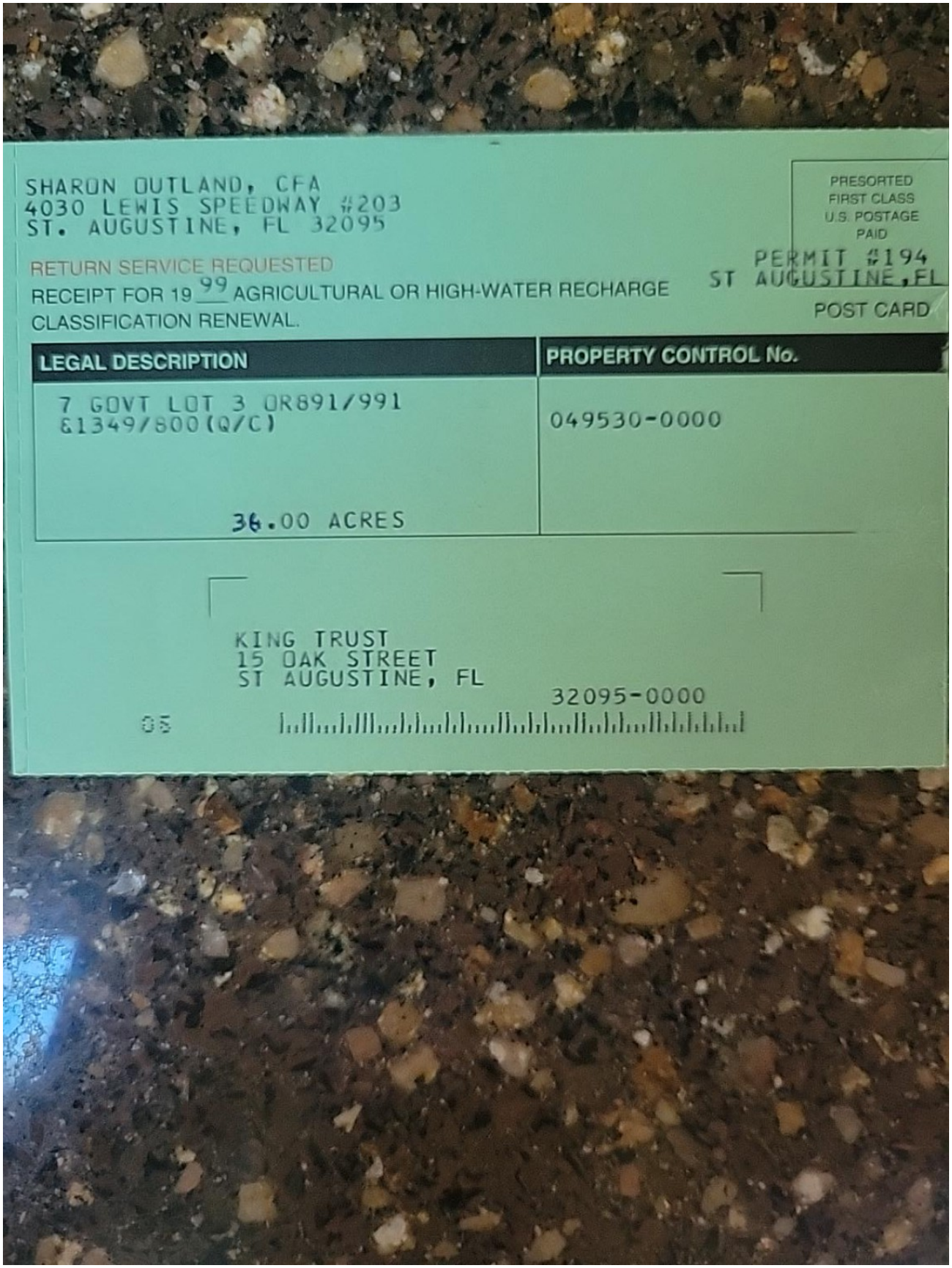
Assessed Year	2026
Building Value	$0.00
Extra Features Value	$0.00
Total Land Value	$214,200.00
Agricultural (Assessed) Value	$23,120.00
Agricultural (Market) Value	$214,200.00
Just Market	**$214,200.00**
Total Deferred	$0.00
Assessed Value	**$23,120.00**
Total Exemptions	$0.00
Taxable Value	**$23,120.00**

Values listed are from our working tax roll and are subject to change. Exemption and taxable values shown reflect County-level assessment.

Property Valuation Review


12:37
PROPERTY APPRAISER
St. Johns County, FL
Map
Real Property Search
More
Historical Assessment Information
Columns
Year
2025
Building Value: $0
Extra Feature Value: $0
Total Land Value: $214,200
Ag (Market) Value: $214,200
Ag (Assessed) Value: $23,120
Just Market: $23,120
Assessed Value: $23,120
Exempt Value: $0
Taxable Value: $23,120
2024
Building Value: $0
Extra Feature Value: $0
Total Land Value: $214,200
Ag (Market) Value: $214,200
Ag (Assessed) Value: $23,120
Just Market: $23,120
Assessed Value: $23,120
Exempt Value: $0
Taxable Value: $23,120
2023
Building Value: $0
Extra Feature Value: $0
Total Land Value: $214,200
Ag (Market) Value: $214,200
Ag (Assessed) Value: $23,120
Just Market: $23,120
Assessed Value: $23,120
Exempt Value: $0
Taxable Value: $23,120
2022


12:37
Map
Real Property Search
More
2022
Building Value: $0
Extra Feature Value: $0
Total Land Value: $214,200
Ag (Market) Value: $214,200
Ag (Assessed) Value: $23,120
Just Market: $23,120
Assessed Value: $23,120
Exempt Value: $0
Taxable Value: $23,120
2021
Building Value: $0
Extra Feature Value: $0
Total Land Value: $214,200
Ag (Market) Value: $214,200
Ag (Assessed) Value: $23,120
Just Market: $23,120
Assessed Value: $23,120
Exempt Value: $0
Taxable Value: $23,120
2020
Building Value: $0
Extra Feature Value: $0
Total Land Value: $214,200
Ag (Market) Value: $214,200
Ag (Assessed) Value: $23,120
Just Market: $23,120
Assessed Value: $23,120
Exempt Value: $0
Taxable Value: $23,120
2019
2018
2017
2016
2015



SHARON OUTLAND, CFA
4030 LEWIS SPEEDWAY #203
ST. AUGUSTINE, FL 32095

PRESORTED
FIRST CLASS
U.S. POSTAGE
PAID
PERMIT #194
ST AUGUSTINE, FL

RETURN SERVICE REQUESTED

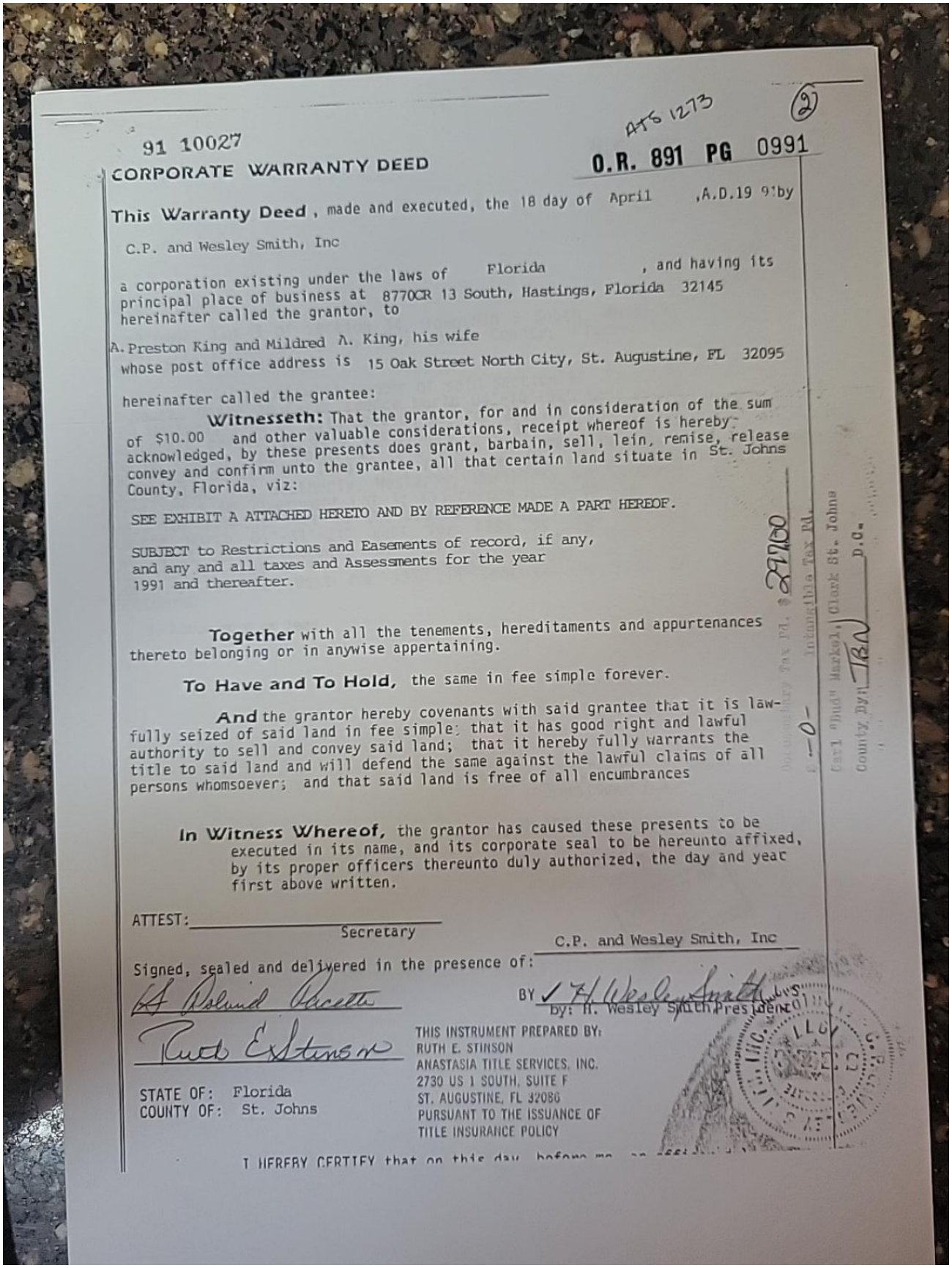
RECEIPT FOR 19 99 AGRICULTURAL OR HIGH-WATER RECHARGE CLASSIFICATION RENEWAL.

POST CARD

LEGAL DESCRIPTION	PROPERTY CONTROL No.
7 GOVT LOT 3 OR891/991 &1349/800(Q/C) 36.00 ACRES	049530-0000

KING TRUST
15 OAK STREET
ST AUGUSTINE, FL
32095-0000

05



91 10027

ATS 1273 (2)

CORPORATE WARRANTY DEED

O.R. 891 PG 0991

This Warranty Deed, made and executed, the 18 day of April ,A.D.19 91by

C.P. and Wesley Smith, Inc

a corporation existing under the laws of Florida , and having its principal place of business at 8770CR 13 South, Hastings, Florida 32145 hereinafter called the grantor, to

A. Preston King and Mildred A. King, his wife

whose post office address is 15 Oak Street North City, St. Augustine, FL 32095

hereinafter called the grantee:

Witnesseth: That the grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, barbain, sell, lein, remise, release convey and confirm unto the grantee, all that certain land situate in St. Johns County, Florida, viz:

SEE EXHIBIT A ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

SUBJECT to Restrictions and Easements of record, if any, and any and all taxes and Assessments for the year 1991 and thereafter.

Documentary Tax Pd. $ 29.00 Intangible Tax Pd. $ -0- Carl "Bud" Markel, Clerk St. Johns County, Fla. D.C. TBN

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and To Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances

In Witness Whereof, the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST: _____ Secretary

C.P. and Wesley Smith, Inc

Signed, sealed and delivered in the presence of:

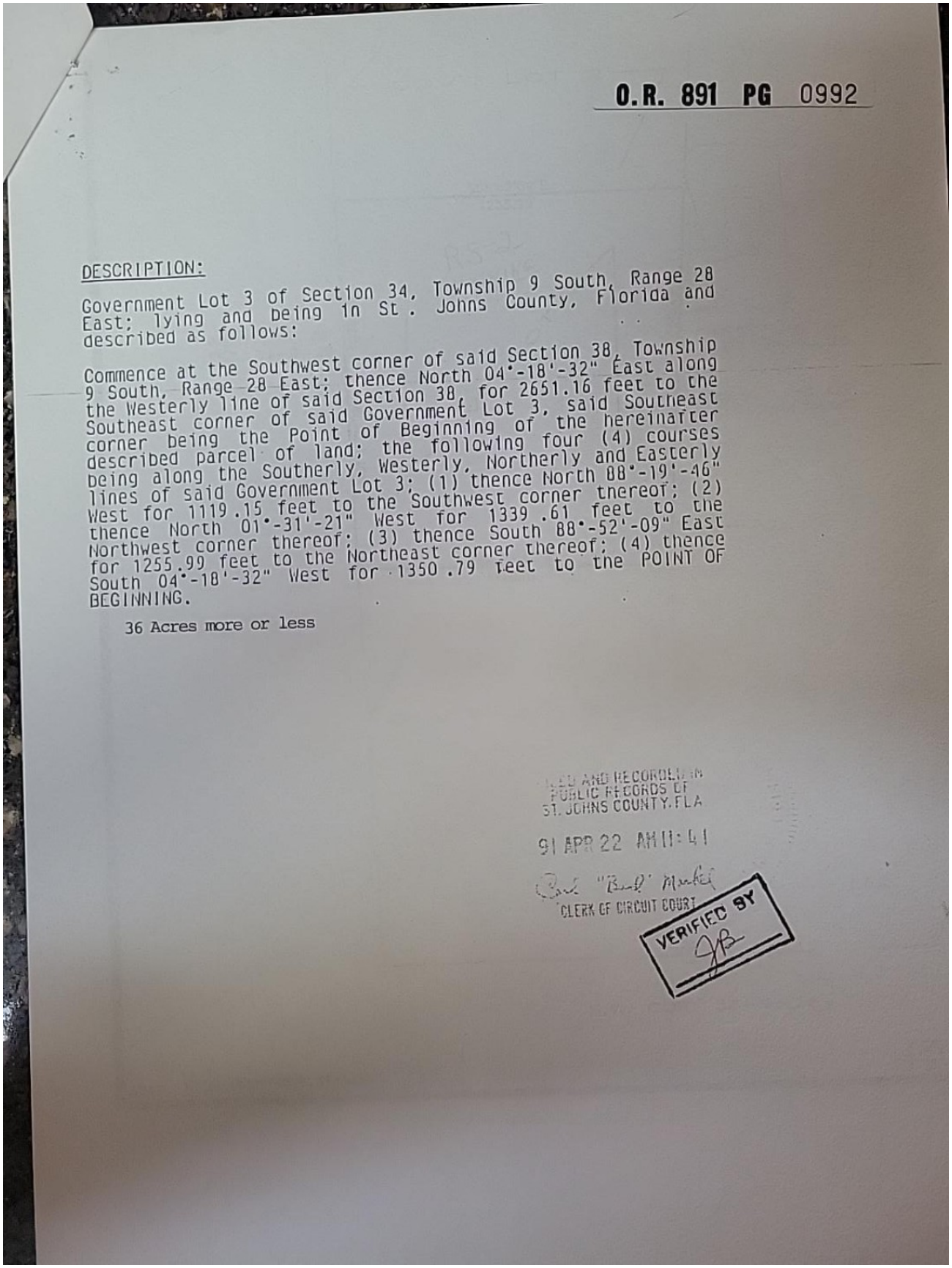
BY ✓ H. Wesley Smith

by: H. Wesley Smith, President

THIS INSTRUMENT PREPARED BY:
RUTH E. STINSON
ANASTASIA TITLE SERVICES, INC.
2730 US 1 SOUTH, SUITE F
ST. AUGUSTINE, FL 32086
PURSUANT TO THE ISSUANCE OF
TITLE INSURANCE POLICY

STATE OF: Florida
COUNTY OF: St. Johns

I HEREBY CERTIFY that on this day, before me



O.R. 891 PG 0992

DESCRIPTION:

Government Lot 3 of Section 34, Township 9 South, Range 28 East; lying and being in St. Johns County, Florida and described as follows:

Commence at the Southwest corner of said Section 38, Township 9 South, Range 28 East; thence North 04°-18'-32" East along the Westerly line of said Section 38, for 2651.16 feet to the Southeast corner of said Government Lot 3, said Southeast corner being the Point of Beginning of the hereinafter described parcel of land; the following four (4) courses being along the Southerly, Westerly, Northerly and Easterly lines of said Government Lot 3; (1) thence North 88°-19'-46" West for 1119.15 feet to the Southwest corner thereof; (2) thence North 01°-31'-21" West for 1339.61 feet to the Northwest corner thereof; (3) thence South 88°-52'-09" East for 1255.99 feet to the Northeast corner thereof; (4) thence South 04°-18'-32" West for 1350.79 feet to the POINT OF BEGINNING.

36 Acres more or less

RECORDED AND RECORDED IN PUBLIC RECORDS OF ST. JOHNS COUNTY, FLA

91 APR 22 AM 11:41

"Buck" Markel
CLERK OF CIRCUIT COURT

VERIFIED BY

DESCRIPTION:

Government Lot 3 of Section 34, Township 9 South, Range 28 East; lying and being in St. Johns County, Florida and described as follows:

Commence at the Southwest corner of said Section 38, Township 9 South, Range 28 East; thence North 04°-18'-32" East along the Westerly line of said Section 38, for 2651.16 feet to the Southeast corner of said Government Lot 3, said Southeast corner being the Point of Beginning of the hereinafter described parcel of land; the following four (4) courses being along the Southerly, Westerly, Northerly and Easterly lines of said Government Lot 3; (1) thence North 88°-19'-46" West for 1119.15 feet to the Southwest corner thereof; (2) thence North 01°-31'-21" West for 1339.61 feet to the Northwest corner thereof; (3) thence South 88°-52'-09" East for 1255.99 feet to the Northeast corner thereof; (4) thence South 04°-18'-32" West for 1350.79 feet to the POINT OF BEGINNING.

SURVEYOR'S NOTES:

- Bearings shown hereon are based on an assumed meridian.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- This is not a "Sketch of Survey" but only a graphic depiction of the description shown hereon.
- Lands shown hereon containing 36.626 acres, more or less.

SURVEYOR'S CERTIFICATION:

We hereby certify that the attached "Sketch of Description" of the above described parcel of land is true and correct to the best of our knowledge and belief as prepared on February 17, 1988, under our direction and complies with the minimum technical standards set forth by the State of Florida Board of Land Surveyors.

FORTIN, LEAVY, SKILES, INC.

"NOT VALID UNLESS SEALED"

By: Daniel C. Fortin

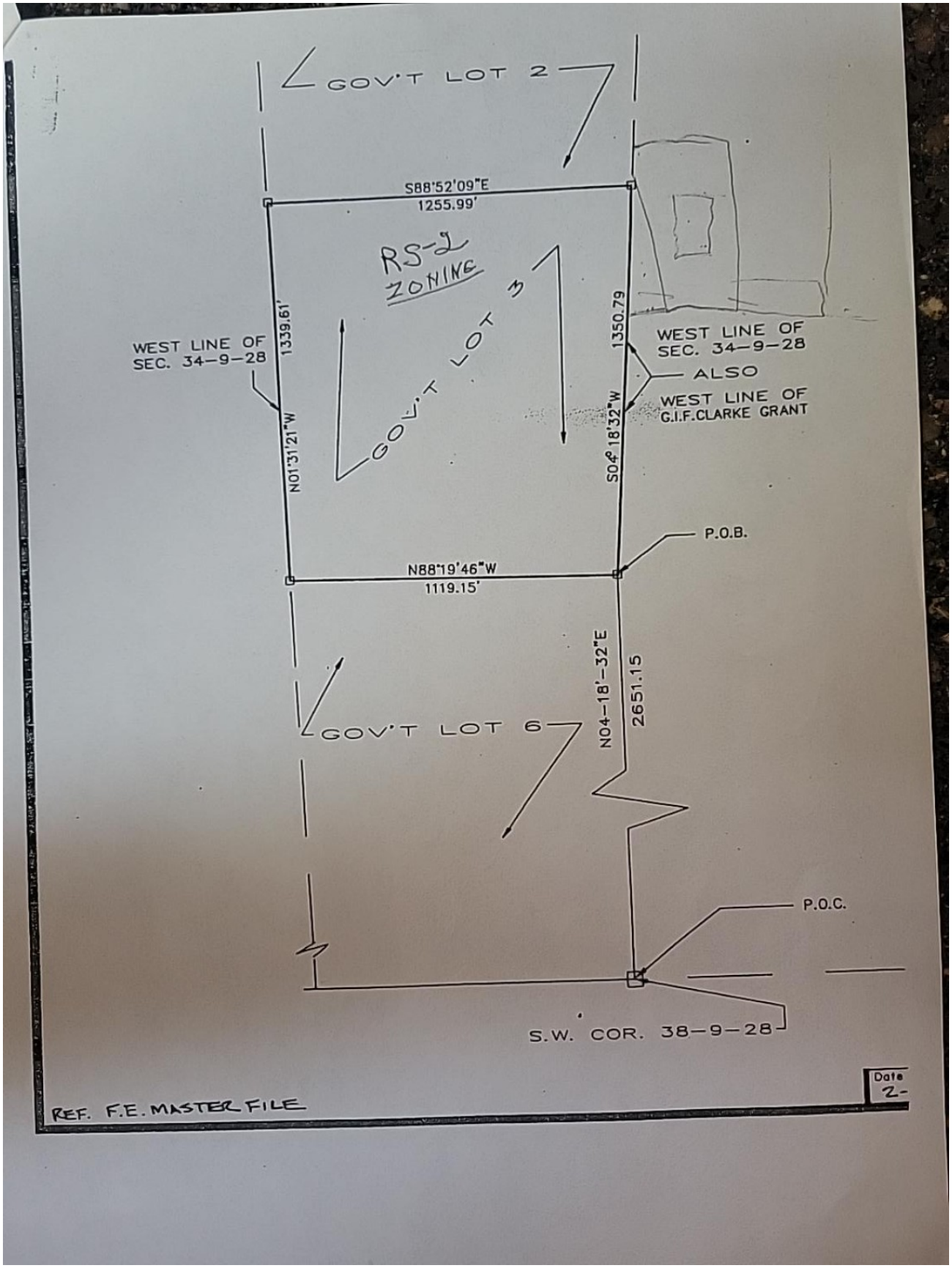
Daniel C. Fortin, For The Firm
Professional Land Surveyor No. 2853
State of Florida

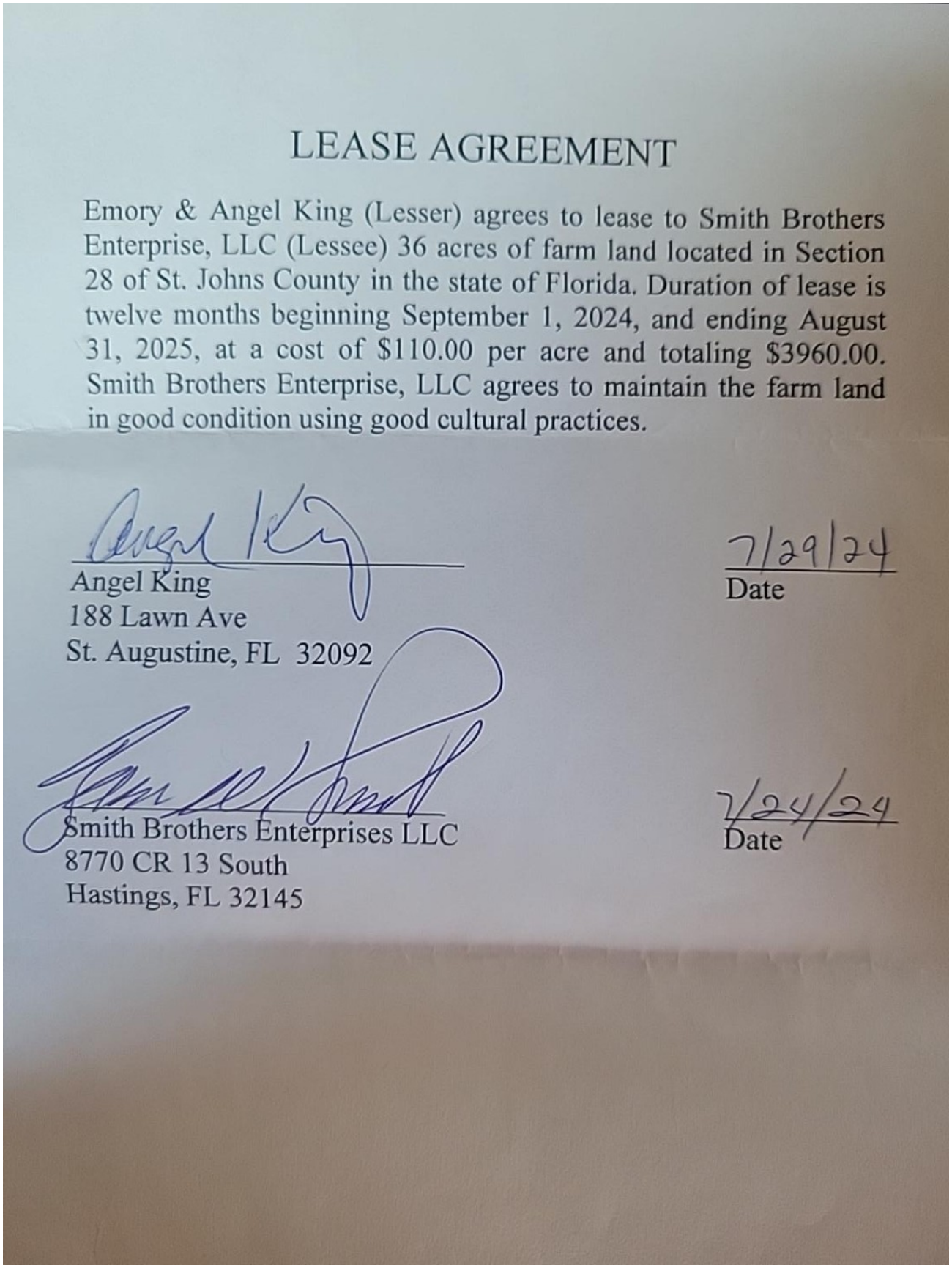
Scale	Job No.	Dwg. No.
1"=400'	880175	188-031

Fortin, Leavy, Skiles, Inc.
Consulting Engineers & Land Surveyors
655 South Federal Highway / Boca Raton, Florida 33432
180 Northeast 168th Street / North Miami Beach, Florida 33162
Dade 653-4493 / Broward 463-7180 / Boca Raton 395-7378

Exhibit F-2

1988 Survey Sketch - Government Lot 3





LEASE AGREEMENT

Emory & Angel King (Lesser) agrees to lease to Smith Brothers Enterprise, LLC (Lessee) 36 acres of farm land located in Section 28 of St. Johns County in the state of Florida. Duration of lease is twelve months beginning September 1, 2024, and ending August 31, 2025, at a cost of $110.00 per acre and totaling $3960.00. Smith Brothers Enterprise, LLC agrees to maintain the farm land in good condition using good cultural practices.

Angel King
188 Lawn Ave
St. Augustine, FL 32092

7/29/24
Date

Smith Brothers Enterprises LLC
8770 CR 13 South
Hastings, FL 32145

7/24/24
Date

LEASE AGREEMENT

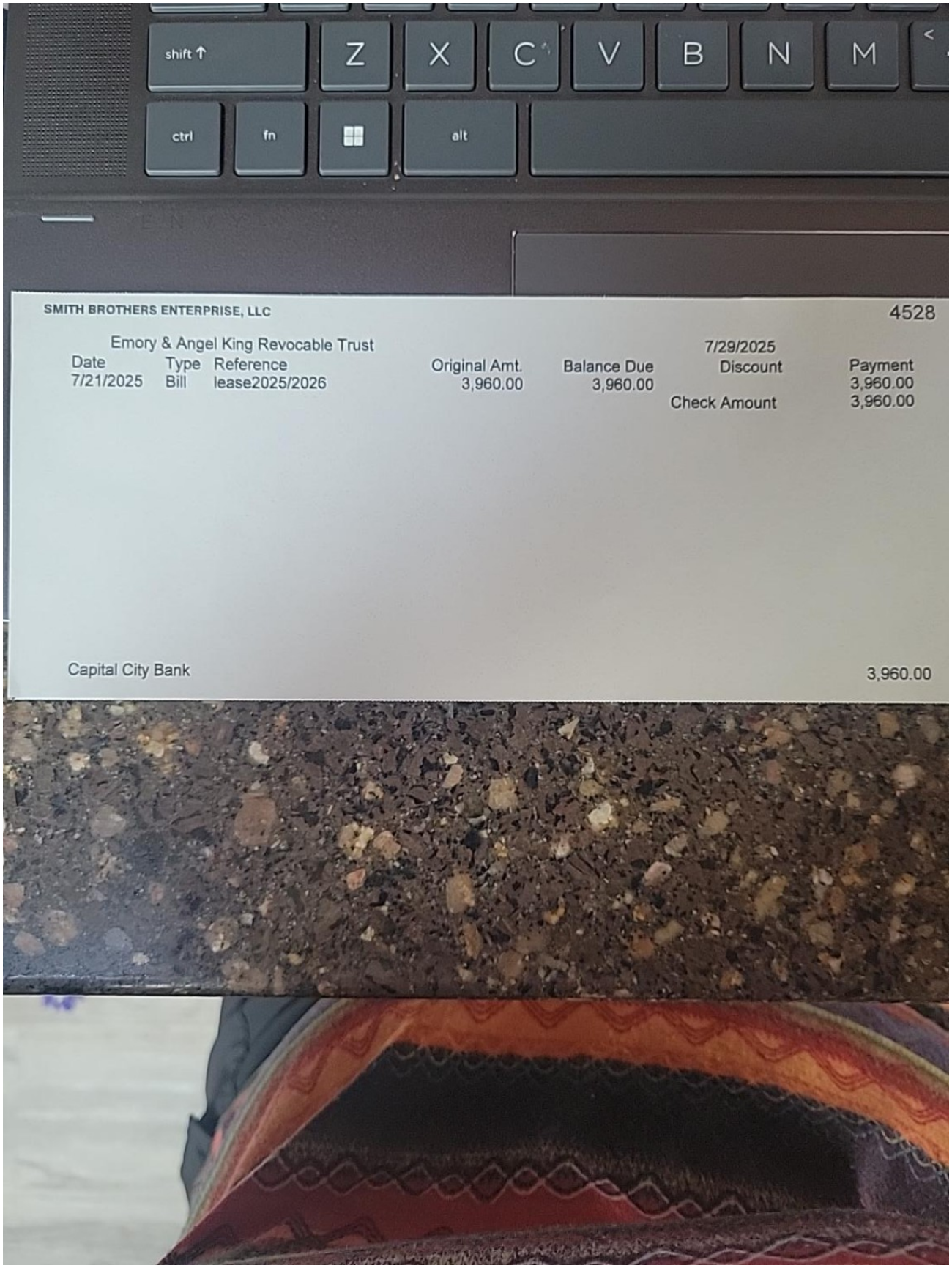
Emory & Angel King (Lesser) agrees to lease to Smith Brothers Enterprise, LLC (Lessee) 36 acres of farm land located in Section 28 of St. Johns County in the state of Florida. Duration of lease is twelve months beginning September 1, 2025, and ending August 31, 2026, at a cost of $110.00 per acre and totaling $3960.00. Smith Brothers Enterprise, LLC agrees to maintain the farm land in good condition using good cultural practices.

Angel King
188 Lawn Ave
St. Augustine, FL 32084

7/29/25
Date

Smith Brothers Enterprises LLC
8695 CR 13 South
Hastings, FL 32145

7/10/25
Date


shift
Z
X
C
V
B
N
M
ctrl
fn
alt
SMITH BROTHERS ENTERPRISE, LLC
4528
Emory & Angel King Revocable Trust
7/29/2025
Date Type Reference Original Amt. Balance Due Discount Payment
7/21/2025 Bill lease2025/2026 3,960.00 3,960.00 3,960.00
Check Amount 3,960.00
Capital City Bank
3,960.00

KING AGRICULTURAL ENCLAVE CERTIFICATION

Perimeter & Adjacent Density Evidence

Parcel 0495300000 - 9400 Byrd Road, Hastings, Florida

Purpose

This exhibit package supplements the Agricultural Enclave Certification narrative with County Property Appraiser and zoning-map evidence concerning the parcel immediately east of the subject property, DLG BOONE LLC Parcel 0500100011, and the existing residential parcel at 9366 Byrd Road.

Evidence summary

The Property Appraiser record identifies DLG BOONE LLC as owner of Parcel 0500100011, a 24.03-acre Vacant Residential parcel. The parcel-map exhibits show that tract immediately east of the subject property. The zoning-layer exhibits show RG-2 zoning immediately east of the subject parcel. Taken together, these exhibits support the adjacent-parcel/density discussion in the certification narrative. The 9366 Byrd Road exhibit documents an existing residential parcel at the northeast perimeter context.

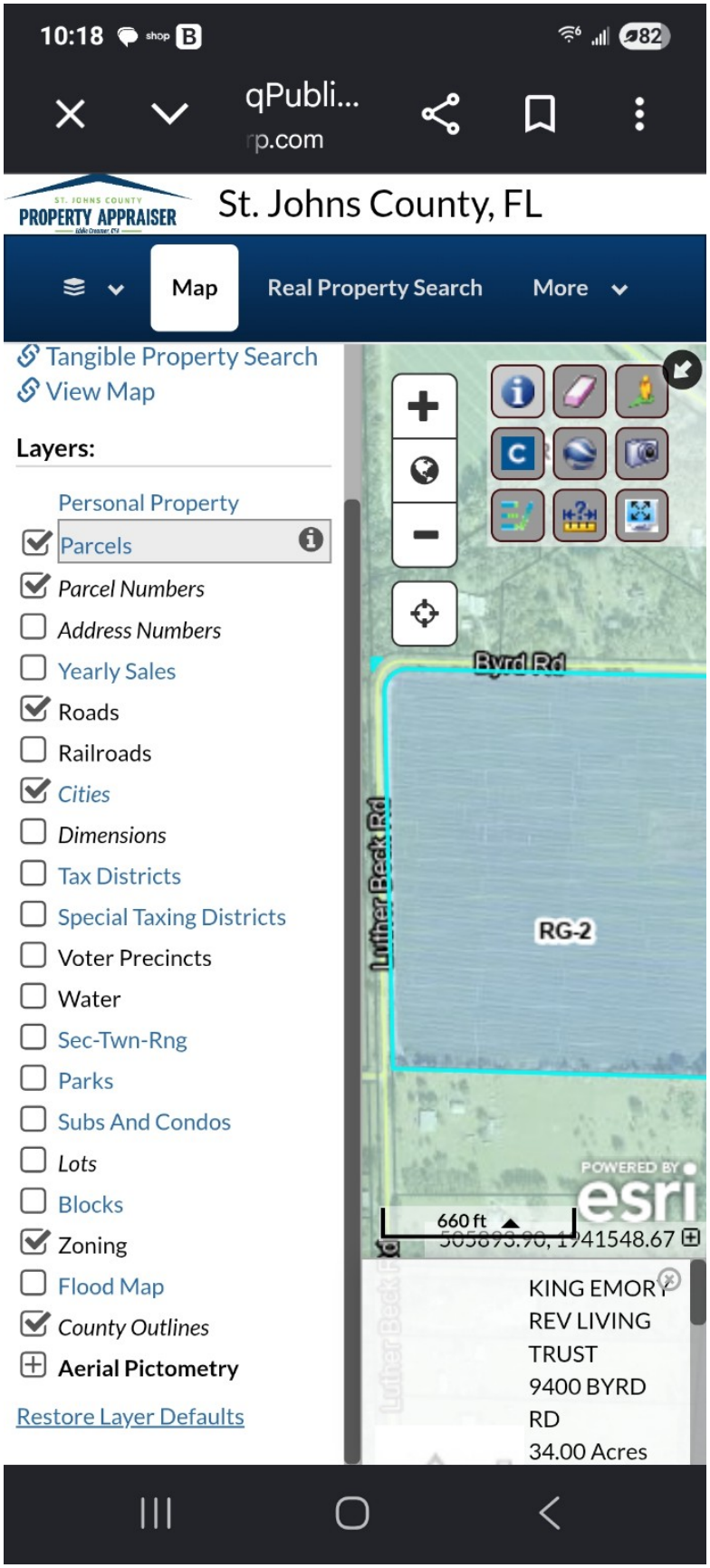
Exhibit Index

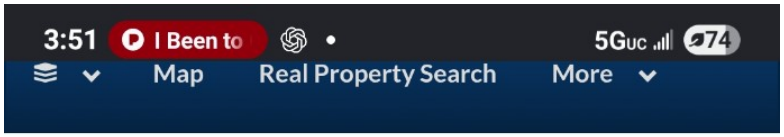
Exhibit H-1: Subject Parcel - Zoning Layer Showing RG-2 at and Immediately East of Subject
Exhibit H-2: DLG Boone LLC - Property Appraiser Record, Parcel 0500100011, 24.03 Acres
Exhibit H-3: DLG Boone LLC - Owner, Parcel Map, and 2026 Valuation
Exhibit H-4: DLG Boone LLC - Selected Parcel Map Showing Shared Eastern Boundary Context
Exhibit H-5: Subject Parcel and Adjoining Eastern Tract - Wider Parcel Context
Exhibit H-6: Zoning Layer - RG-2 Area Immediately East of Subject Parcel
Exhibit H-7: 9366 Byrd Road - Existing Residential Parcel at Northeast Perimeter Context

These exhibits supplement, but do not replace, the survey-based perimeter schedule and other parcel-by-parcel evidence supporting any perimeter percentage stated in the application. County staff can verify parcel boundaries and zoning directly in its GIS records.

Exhibit H-1

Subject Parcel - Zoning Layer Showing RG-2 at and Immediately East of Subject



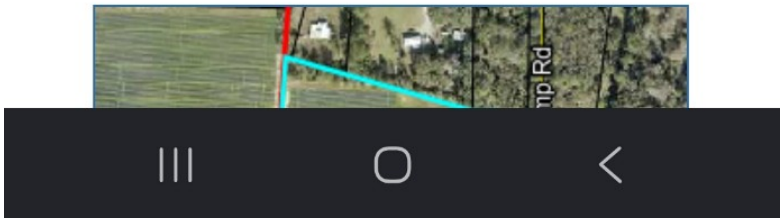


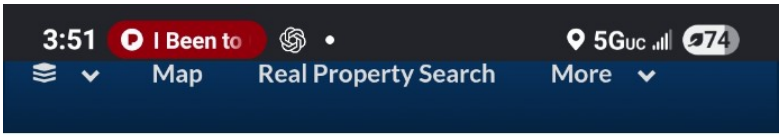
Parcel ID	0500100011
Location Address	CRACKER SWAMP RD HASTINGS 32145-0000
Neighborhood	Estes & Erwin Subdivision (SF) (199)
Tax Description*	10-1A PT W 1/2 OF CLARK GRANT BEING PARCEL 2-A AND A PORTION OF PARCEL 2-B PER DEED OR5970/1462
***The Description above is not to be used on legal documents.**	
Property Use Code	Vacant Residential (0000)
Subdivision	N/A
Sec/Twp/Rng	38-9-28
District	Hastings Drainage (District 153)
Millage Rate	13.4686
Acreage	24.030
Homestead	N

Owner Information

DLG BOONE LLC
100%
PO BOX 3500
BOONE, NC 28607-0800

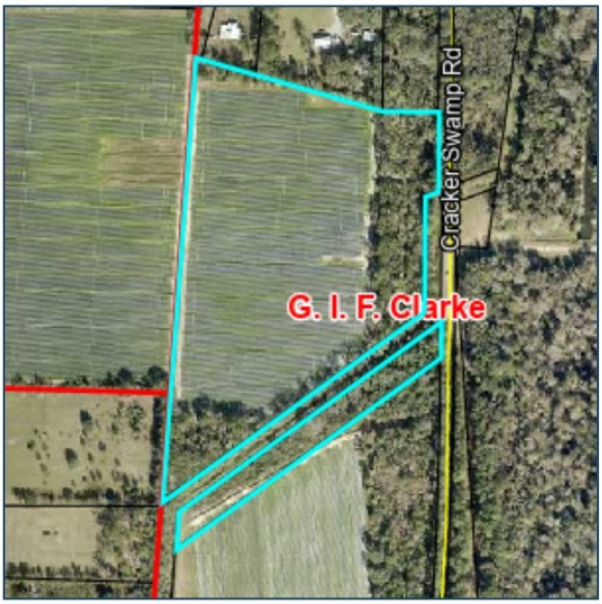
Map





DLG BOONE LLC
100%
PO BOX 3500
BOONE, NC 28607-0800

Map



Valuation Information

Assessed Year	2026
Building Value	$0.00
Extra Features Value	$0.00
Total Land Value	$295,267.00
Agricultural (Assessed) Value	$0.00
Agricultural (Market) Value	$0.00
Just Market	**$295,267.00**
Total Deferred	$74,745.00
Assessed Value	**$220,522.00**
Total Exemptions	$0.00

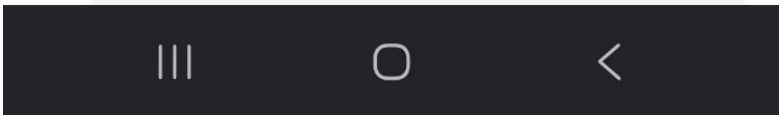


Exhibit H-4

DLG Boone LLC - Selected Parcel Map Showing Shared Eastern Boundary Context



Exhibit H-5

Subject Parcel and Adjoining Eastern Tract - Wider Parcel Context

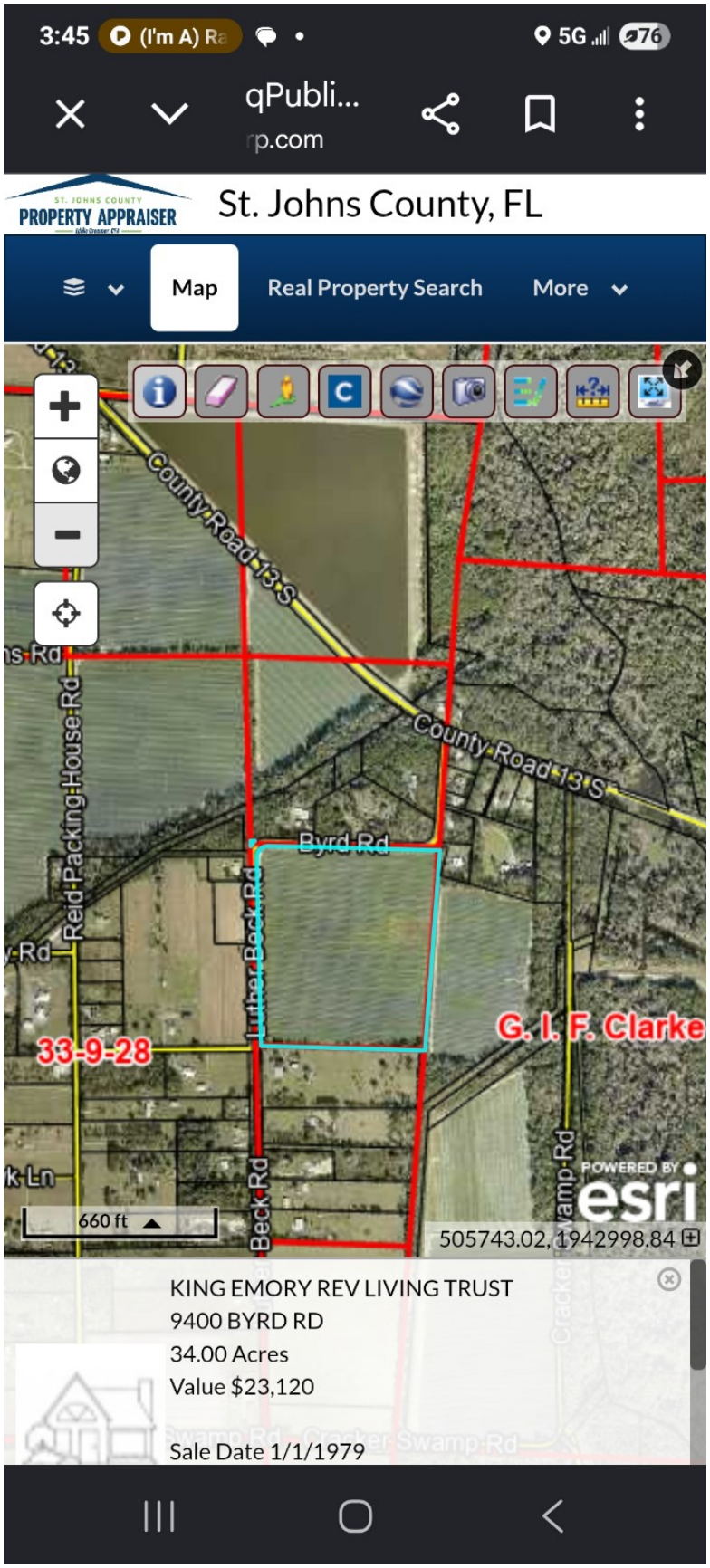


Exhibit H-6
Zoning Layer - RG-2 Area Immediately East of Subject Parcel

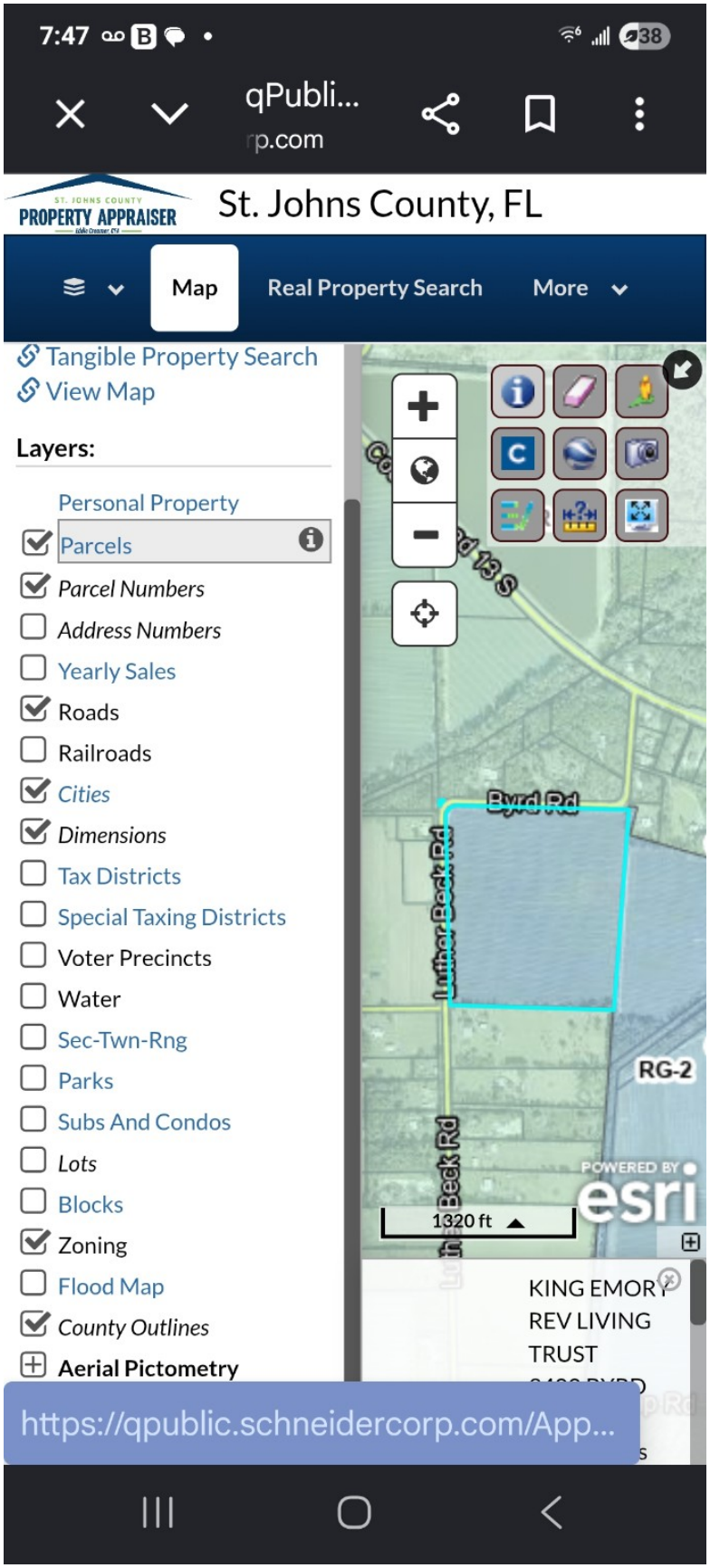


Exhibit H-7

9366 Byrd Road - Existing Residential Parcel at Northeast Perimeter Context



USA TODAY CO.

PO Box 631244 Cincinnati, OH 45263-1244

LocaliQ

AFFIDAVIT OF PUBLICATION

Angel D King
Angel D King
188 Lawn AVE
St Augustine FL 32084-2255

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 , was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

SAG St Augustine Record 10/29/2026

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 is personally known to me, on 10/29/2026

Legal Clerk

Notary, State of WI, County of Brown

8.25.30

My commission expires

Publication Cost:	$328.40	
Tax Amount:	$0.00	
Payment Cost:	$328.40	
Order No:	12734871	# of Copies:
Customer No:	1627731	1
PO #:		

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

MARIAH VERHAGEN
Notary Public
State of Wisconsin

NOTICE OF A REQUEST FOR AGRICULTURAL ENCLAVE CERTIFICATION

NOTICE IS HEREBY GIVEN that a public hearing will be held on 11/17/2026 at 9:00 am, or as soon thereafter as may be heard, before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to determine whether an application complies with the statutory requirements for certification of the subject property as an Agricultural Enclave under Sections 163.3162 and 163.3164, Florida Statutes as amended by Chapter 2026-34, Laws of Florida. This certification request is identified as ENCERT 2026-16 Agricultural Enclave Certification (KING) and includes approximately 36.626 acres located at 9400 Byrd Road, Hastings, Florida, Parcel No. 049530-0000. Applicant requests certification for future single-family residential development at a maximum requested density of one (1) dwelling unit per acre. No final subdivision layout or development plan is proposed as part of this certification request.

This file and the proposed application 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 requested certification.

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.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
CLAY MURPHY, CHAIR
FILE NUMBER: ENCERT 2026-16
PROJECT NAME: KING

