

19
ORDINANCE NUMBER: 2005-109

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PLANNED RURAL DEVELOPMENT (PRD) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the development of the lands within this Planned Unit Development shall proceed in accordance with the PUD application, dated August 16, 2005, in addition to supporting documents and statements from the applicant which are a part of Zoning File PUD 2005-32 Las Calinas PUD, 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. Findings of Fact: that the need and justification for approval of the Las Calinas PUD has been considered in accordance with the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code and, whereby, it is found that:

1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The proposed project is consistent with the goals, policies and objectives of the 2015 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 request 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.
4. The request meets all requirements of applicable general zoning, subdivision and other regulations.
5. The Master Development Plan Text and Map for this project meet all requirements of Section 5.03.02(G) of the Land Development Code.
6. The proposed PUD meets all applicable Specific Standards of Section 5.03.03 of the St. Johns County Land Development Code.
7. The zoning district designation of Planned Unit Development (PUD) is consistent with the land uses

allowed in the land use designation of Residential B as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number PUD 2005-32 Las Calinas, the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to PUD.

SECTION 3. To the extent they do not conflict with the specific provisions of this PUD Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to this development; except (a) that modification to this PUD by variance or special use shall be prohibited except where allowed by the Land Development Code; and except (b) to the degree that the development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, Comprehensive Plan or any non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 4. This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 5. This Ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of the Court of St. Johns County in accordance with Section 125.68, Florida Statutes.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas maintained in the Zoning Division of the St. Johns County Growth Management Services Department by the Director of Growth Management Services, or his designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 15th DAY OF November 2005.

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

BY: James E. Bryant
James E. Bryant
Chairman

ATTEST: CHERYL STRICKLAND, CLERK

BY: Louenne King
Deputy Clerk

RENDITION DATE 11/17/05

EFFECTIVE DATE: 11/22/05

Las Calinas PUD
Legal Description

A portion of fractional Section 28, a portion of Section 29, and a portion of Section 32, all lying in Township 5 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the corner common to Sections 18, 20, 29 and 30 of said Township 5 South, Range 29 East; thence North 89° 08' 44" East, along the Northerly line of said Section 29, a distance of 5291.00 feet to the corner common to Sections 20, 21, 28 and 29 of said Township and Range; thence continue North 89° 08' 44" East, along the Northerly line of said Section 28, a distance of 518.11 feet; thence South 08° 32' 25" East, 1875.78 feet; thence South 48° 35' 01" East, 207.78 feet to the Point of Beginning.

From said Point of Beginning, thence South 74° 52' 04" East, 460.34 feet; thence South 05° 41' 41" East, 820.28 feet; thence South 48° 43' 34" East, 320.82 feet; thence South 18° 42' 41" East, 1270.18 feet; thence South 28° 18' 23" West, 240.88 feet; thence South 18° 39' 52" East, 598.32 feet to a point lying on the Northerly line of said Section 33; thence South 88° 38' 12" West, along said Northerly line, 2063.28 feet to the Northwest corner of said Section 33; thence South 00° 37' 40" East, along the Westerly line of said Section 33, a distance of 3479.43 feet to a point on a curve concave Southeast; thence having a radius of 581.00 feet; thence Southwesterly, departing said Westerly line of said Section 33 and along the arc of said curve, through a central angle of 47° 29' 47", an arc length of 408.82 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 70° 30' 03" West, 476.01 feet; thence South 52° 05' 10" West, 403.35 feet to its intersection with the Northeastly right of way line of U.S. Highway No. 1, a 150 foot right of way as presently established; thence North 37° 54' 50" West, along said Northeastly right of way line of U.S. Highway No. 1, a distance of 4788.89 feet to its intersection with the line dividing said Sections 29 and 32 of said Township and Range; thence North 37° 53' 18" West, continuing along said Northeastly right of way line, 107.32 feet; thence North 01° 40' 54" West, departing said Northeastly right of way line, 80.78 feet; thence North 51° 28' 54" East, 503.73 feet to the point of curvature of a curve concave Northwesterly, having a radius of 1040.00 feet; thence Northwesterly along the arc of said curve through a central angle of 21° 25' 42", an arc length of 358.98 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North 40° 44' 03" East, 388.88 feet; thence Northwesterly along the arc of a curve concave Southeast; thence having a radius of 960.00 feet, through a central angle of 31° 58' 48", an arc length of 535.83 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 48° 00' 28" East, 528.90 feet; thence North 82° 00' 00" East, 168.54 feet to the point of curvature of a curve concave Southerly, having a radius of 1880.00 feet; thence Northwesterly along the arc of said curve through a central angle of 25° 22' 28", an arc length of 735.14 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North 74° 01' 13" East, 728.15 feet; thence Northwesterly along the arc of a curve concave Northwesterly, having a radius of 780.00 feet, through a central angle of 42° 22' 28", an arc length of 584.28 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 68° 11' 13" East, 571.03 feet; thence North 45° 00' 00" East, 11.53 feet to the point of curvature of a curve concave Southeast; thence having a radius of 460.00 feet; thence Northwesterly along said arc, through a central angle of 45° 00' 00", an arc length 361.28 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 67° 30' 00" East, 352.87 feet; thence Due East, 581.25 feet to the point of curvature of a curve concave Northwesterly, having a radius of 340.00 feet; thence Northwesterly along the arc of said curve, through a central angle of 58° 15' 00", an arc length of 538.43 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 60° 22' 30" East, 533.87 feet; thence North 30° 45' 00" East, 1555.81 feet to the Point of Beginning.

Containing 413.78 acres, more or less.

A portion of Section 32, Township 5 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the Southeast corner of said Section 32; thence North 00° 37' 40" West, along the Westerly line of Section 33 said Township and Range, a distance of 418.81 feet to its intersection with the Northeastly right of way line of U.S. Highway No. 1, a 150 foot right of way as now established, also being the Point of Beginning.

From said Point of Beginning, continue thence North 00° 37' 40" West, along said Westerly line of Section 33, a distance of 1198.58 feet to a point on a curve concave Southeast; thence having a radius of 408.00 feet; thence Southwesterly, departing said Westerly line and along the arc of said curve, through a central angle of 52° 27' 19", an arc length of 374.44 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 78° 18' 47" West, 381.50 feet; thence South 52° 05' 10" West, 401.82 feet to its intersection with said Northeastly right of way line of U.S. Highway No. 1; thence South 37° 54' 50" East, along said Northeastly right of way line, 1113.38 feet to the Point of Beginning.

Containing 10.25 acres, more or less.

A portion of fractional Section 28, and a portion of Section 29, both lying in Township 5 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the corner common to Sections 18, 20, 29 and 30 of said Township 5 South and Range 29 East; thence North 89° 08' 44" East, along the Northerly line of said Section 28, a distance of 5291.00 feet to the corner common to Sections 20, 21, 28 and 29 of said Township and Range; thence continue North 89° 08' 44" East, along the Northerly line of said Section 28, a distance of 518.11 feet; thence South 08° 32' 25" East, departing the Northerly line of said Section 28, a distance of 1323.88 feet to the Point of Beginning.

From said Point of Beginning, continue South 08° 32' 25" East, 651.78 feet; thence South 48° 35' 01" East, 128.37 feet; thence South 30° 45' 00" West, 1570.87 feet to a point of curvature of a curve concave Northwesterly, having a radius of 460.00 feet; thence Southwesterly along the arc of said curve through a central angle of 38° 08' 02", an arc length of 313.82 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 50° 18' 01" West, 307.88 feet; thence North 20° 08' 35" West, 34.88 feet; thence North 82° 18' 18" East, 286.46 feet; thence North 33° 34' 08" West, 168.53 feet; thence North 18° 45' 48" East, 281.57 feet; thence North 77° 57' 28" East, 313.63 feet; thence North 30° 45' 00" East, 182.24 feet; thence North 73° 06' 02" West, 663.14 feet; thence North 14° 28' 21" East, 326.30 feet; thence North 02° 37' 42" West, 487.11 feet; thence North 51° 23' 03" East, 401.01 feet; thence North 70° 44' 06" East, 551.17 feet to the Point of Beginning.

Containing 26.24 acres, more or less.

1.0 PROJECT INTRODUCTION

1.1 Introduction

Las Calinas is one of three PUDs within the Marshall Creek DRI. The other two PUDs consist of the original Marshall Creek PUD (currently being modified by a companion Major Modification), approved October 20, 1998 (Ordinance No. 98-64), currently being developed under the name of Palencia, and the Palencia North PUD, which is being submitted concurrently with this application. Collectively, the PUDs are the result of Notice of Proposed Change (NOPC) to the original Marshall Creek DRI. The approved NOPC expanded the Marshall Creek DRI boundaries to include both the Palencia North PUD and the Las Calinas PUD properties. The applicant proposes to increase the overall number of approved units for the entire DRI by 132 units to 2,774 units which will be allocated to these three PUDs.

The Las Calinas Planned Unit Development (PUD) proposed by the Master Development Plan fills a market demand for single family housing by concentrating compact and contiguous development near the U.S. Highway 1 Corridor where urban infrastructure is already in place. The project is located immediately south of the Las Calinas PRD, north of Kensington PUD, and west of Palencia North PUD. The Subject Property is part of the Marshall Creek Development of Regional Impact.

1.2 Project Location and Character

Las Calinas is a master planned, mixed use community located northwest of the existing Marshall Creek PUD and south of Nocatee PUD and Las Calinas PRD, as bounded east by the proposed Palencia North PUD and the west and south by the Kensington PUD. The PUD is approximately 460 acres and will include 425 residential units and 19,000 square feet of commercial space, and associated park and recreational facilities. The community will be developed with its orientation towards the existing Las Calinas PRD, Palencia and Kensington communities which provide additional access points. The PUD is not located in any Special District as defined by Article III of the Land Development Code.

The site is currently vacant and undeveloped, and will continue to be under silviculture management on individual parcels until construction plan approval for said parcels. The property's uplands which are to be developed are divided by a series of north/south linear wetlands which divide the property into various development parcels. This north/south wetland pattern requires unavoidable wetland crossings to provide safe and adequate access and circulation.

Wetland areas and undeveloped upland areas may be used to provide mitigation for on-site or off-site wetland impacts. As permits are approved acknowledging such mitigation, conservation easements shall be recorded over the applicable areas and such areas will be shown as conservation easements on any development plan or plats for the project. The site plan included with the construction plans submitted to the County for the project will depict the approved wetland jurisdictional line as determined by the St. Johns River Water Management District in accordance with their rules once the line has been set.

1.3 Existing On-Site Characteristics

The site is currently vacant and undeveloped and is currently being used for silviculture purposes. The wetland systems are primarily located in a north-south pattern through the site making wetland crossings unavoidable in order to provide safe and adequate access and circulation. The predominant types of wetlands found on the site are bottomland forest. The major wetland systems are also located within the 100-year floodplain. There are approximately 146 acres of wetlands in the Las Calinas PUD.

1.4 Land Use Concept

The master plan for Las Calinas involves the creation of a variety of a residential village buffered from other communities by preserved wetlands and uplands, with access linkages to the existing Kensington PUD and Las Calinas PRD. The PUD may include various types of amenities such as active and passive parks and open space. The neighborhoods may be linked to each other and the amenities by roadways and sidewalks, boardwalks and/or bike paths.

Amenities may include, but not be limited to tennis courts; trail system; neighborhood parks and appropriately designed architectural, landscape and hardscape elements. The entire community will follow a unified common development theme.

The master plan is designed to be flexible in order to respond to changes in market demands and development trends throughout the life of the project.

All successors in title to the Subject Property shall be bound to the conditions of the approved PUD.

2.0 PUD MASTER DEVELOPMENT PLAN

2.1 Land Use Summary

Based on the proposed development program for Las Calinas, an overall land use summary is provided below in Table 2.1 Land Use and Proposed Project Phasing. Each incremental master development plan submittal will identify specific densities, units or square footage, and type of land use as permitted in the overall land use table and the development standards table. The units or square footage identified in Table 2.1 may be allocated throughout the PUD.

TABLE 2.1
LAND USE & PROPOSED PROJECT PHASING

PHASE	SINGLE FAMILY (DU's)	RETAIL/SERVICE (Sq.Ft.)
1 (2006-2011)	425	19,000

2.2 Non-Residential Uses

The project will include up to 19,000 square feet of commercial development. The development criteria for the commercial development is set forth in Section 5.0. Only Neighborhood Commercial uses are allowed within the PUD pursuant to Policy A.1.6.2(g) of the St. Johns County Comprehensive Plan. The following use classifications under the Land Development Code are allowed, including those uses allowed by Special Use Permit under Section 2.03.00 of the Land Development Code (all Special Uses will comply with the applicable sections of the Land Development Code) and any additional uses allowed by the Land Development Code at the time of permitting:

- Section 2.02.01.C – Cultural/Institutional Uses
- Section 2.02.01.D – Neighborhood Business and Commercial Uses
- Section 2.02.01.L – Office and Professional Services
- Section 2.02.01.M – Outdoor/Passive Uses
- Section 2.02.01.N – Neighborhood Public Service/Emergency Service Uses

2.3 Circulation

2.3.1 Access

The main access road into the Las Calinas PUD from U.S. Highway 1 is Las Calinas Boulevard, a minor collector road with a minimum right-of-way width of eighty (80) feet in compliance with the requirements of the LDC. Access locations along U.S. 1 are subject to FDOT approval. The internal roadways may be owned by a private individual property owners association, a community development district or may be dedicated to St. Johns County, subject to acceptance by the Board of County Commissioners. 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 by the County. Changes made to the PUD shall be in accordance with LDC Section 5.04.07. Connections to the Kensington PUD and Las Calinas PRD shall be made as depicted on the MDP Map. Any connections provided will include roadways, bike paths and walkways. At the option of the Developer, the connections may include horseback riding trails.

Las Calinas Boulevard was approved as part of the Las Calinas PRD (this roadway is not part of the Marshall Creek DRI nor this PUD). Las Calinas Boulevard will also provide access to the Las Calinas PRD north of the boulevard. All intersections with Las Calinas Boulevard shall comply with current County requirements for Minor Collector Roadways regarding location, spacing and design.

Sidewalks will be constructed within the PUD at the time of road construction. Sidewalks are to be constructed to meet accessibility requirements pursuant to Florida Accessibility Code for Building Construction. A five (5) foot wide sidewalk will be constructed along both sides of the main access road from U.S. Highway 1 to the the PUD's eastern

boundary. An additional 4-foot wide sidewalk will be constructed along one side of local roads in accordance with the provisions of the Land Development Code. The Developer may provide pedestrian connections between residential parcels and other residential and recreation areas and through any open space and preservation areas, subject to meeting applicable permitting requirements and construction plan approval.

A connection to the Kensington PUD shall be made as depicted on the MDP Map. This connection augments the interconnectivity among the Las Calinas PUD and Kensington PUD, Marshall Creek PUD, Las Calinas Boulevard, Palencia North PUD, and Nocatee.

2.4 Utilities

All electric, telephone, and cable lines will be installed underground in accordance with the policies of the utility providers and St. Johns County. Street lighting will be provided throughout Las Calinas based on service agreements with Florida Power & Light or a similar utility provider. Other exterior lighting within Las Calinas may be financed, designed, constructed, and/or maintained by one or more community development districts (CDD) and/or by property owner association(s).

Potable water and wastewater treatment will be provided by the St. Johns County Utility Department from off-site through a bulk supply agreement with JEA. Based upon an estimated use of 350 gallons per day per residence and 0.17 gallons per day per square foot of commercial, water and sewer use for 425 residential units and 19,000 commercial square feet results in an estimated 151,980 gallons per day for potable water and an estimated 151,980 gallons per day for sanitary sewer.

Stormwater will be handled on-site with a series of ponds, lakes and roadside swales throughout the site and conveyed via the roadways and/or piping within appropriate easements. The drainage structures and facilities will be designed and constructed in compliance with the LDC in effect at the time of permitting, subject to the permitting requirement of the SJRWMD. Specifically, any roadside swales that may be used within the project will comply with Section 6.04.07.C.2 of the LDC. The stormwater ponds and lakes may have fountains.

Any lift station site which may be located within the project will conform to St. Johns County requirements and be subject to approval by the Utility Department. The exact location of any lift station will be determined upon construction plan approval. The Applicant may access the County lines from U.S. Highway 1 and/or Las Calinas Boulevard.

Solid waste collection shall be provided by the County contracted waste collection company. Based upon an estimated generation of 5.7 pounds time 2.51 persons per dwelling unit and 5.5 pounds per 100 square feet of development, solid waste generation for 425 residential units and 19,000 commercial square feet is an estimated 7,126 pounds per day.

Any landscaping trees shall be placed 7.5 feet away from the centerline of pipeline to the centerline of the trees. Width of right-of-way shall not limit meeting the minimum setbacks for underground utility lines set by SJCUD. SJCUD will require necessary easements in case proposed right-of-way cannot provide the required spacing for proper operation of underground utilities. Trees with a deep tap root system are not to be planted closer than ten (10) feet to storm drain pipe runs. Trees with a wide tap root system (i.e. oak) may be planted within 10 feet of storm drain pipe runs. Prior to submittal of construction plans for any portion of this PUD, the Developer will meet with the SJCUD Staff to discuss design of the parcel's utility infrastructure.

2.5 Signage

All signs within the Las Calinas PUD shall adhere to the standards contained in the St. Johns County Land Development Code.

2.6 Temporary Uses

The developer or their assigns may install temporary construction trailers and real estate sales offices within Las Calinas PUD during the period of construction and real estate sales. Such temporary construction trailers and real estate offices must be shown on construction and engineering plan sets, or alternatively, a separate construction plan sheet may be submitted depicting such location(s). The duration of placement shall be noted. These temporary trailers and offices shall not count towards the overall unit count for the PUD.

Other temporary uses may include tree farms and plant nurseries established for Las Calinas landscape improvements; arts and crafts festivals; athletic events; outdoor concerts; and other special events. These temporary uses will require County approval by way of an Administrative Temporary Use Permit.

Much of the site has been, and will continue to be, used for silvicultural purposes. Silvicultural harvesting may occur up until the immediate time for development and approval of phased engineering plans by St. Johns County for planted pine areas. All silviculture activities shall comply with requirements of policies E.2.2.2 and E.2.2.3 of the 2015 Comprehensive Plan, where applicable. All silviculture activities shall also comply with the State of Florida Division of Forestry Best Management Practices. Harvesting activity shall not be permitted within upland buffers, wetlands, and preservation areas. Also, identified gopher tortoise habitat areas shall be excluded from harvesting unless an Incidental Take Permit has been received by St. Johns County from the Florida Fish and Wildlife Conservation Commission.

2.7 Sale and Consumption of Alcoholic Beverages

The Las Calinas PUD will not be subject to the provisions of Section 2.03.02 of the St. Johns County Land Development Code regarding distance requirements

between establishments selling alcoholic beverages and schools and churches located within the Marshall Creek DRI. However, the distance and separation requirements of Section 2.03.02 shall apply for existing schools and churches located outside the PUD boundary. The location and separation requirements between establishments selling alcoholic beverages and other certain uses will be subject to the Las Calinas ARB approval prior to issuance of a building permit.

2.8 Site Clearing

Site clearing for development may commence on any parcel after St. Johns County incremental master development plan approval, receipt of all applicable St. Johns River Water Management District, U.S. Army Corps of Engineers, Florida Fish and Wildlife Conservation Commission permits, and St. Johns County clearing permit approval demonstrating the limit of clearing and required erosion and siltation protection.

3.0 SCHEDULE OF DEVELOPMENT

The Las Calinas PUD is projected to be developed in one phase. The development of the PUD shall commence after approval of the NOPC (County file number NOPC 2004-03) and shall be completed within the time allowed under the DRI Development Order. Commencement of development will occur at the commencement of construction of roads and any infrastructure including site clearing. Completion of development will occur upon the recording of the final plat or issuance of the final building permits for commercial or rental multi-family.

4.0 OWNERSHIP AND MAINTENANCE OF COMMON FACILITIES

All roadways and related improvements in Las Calinas will be designed and constructed in accordance with St. Johns County specifications. Common facilities, including roadways, within the PUD will be owned and maintained by a property owners' association, one or more Community Development Districts, the County, private owners, or a combination thereof. Each incremental master development plan will specify the ownership and maintenance of all common facilities located within the area of the incremental master development plan along with provisions for conveyance of title, responsibility for maintenance, assessment for maintenance costs, enforcement of covenants and restrictions, and intent of use, including a requirement that the covenants are recorded prior to platting.

5.0 COMMUNITY DEVELOPMENT STANDARDS

The St. Johns County Savings Clause is adopted as part of the Las Calinas PUD. Except to the extent that they conflict with specific provisions of the approved development plan or PUD Ordinance, all building code, land development regulations, Florida Fire Prevention Code and other land use and development regulations of St. Johns County, including without limitation, the St. Johns County Comprehensive Plan, as may be amended from time to time, shall be applicable to this development, except modification to approved development plans by variance or exception shall be prohibited.

Unless otherwise described in the PUD, incremental master development plans, or other St. Johns County approvals, all development within Las Calinas will conform to the rules

and regulations of Article VI of the St. Johns County Land Development Code and other development regulations. Based on the type of community and proposed building program envisioned for Las Calinas, the following development standards are included as part of the PUD.

For the commercial development, the maximum Floor Area Ratio ("FAR") is 50% and the Maximum Impervious Surface Ratio ("ISR") is 70% in compliance with Policy A.1.11.3 of the St. Johns County Comprehensive Plan. The residential areas and associated accessory development will be developed with detached single-family homes with fee-simple form of ownership. Guesthouses shall be allowed consistent with the LDC and subject to the setbacks of this Section. Home occupations consistent with the LDC shall be allowed. The setbacks for the residential development shall be as provided in Section 5.1.2.

5.1 Zoning/Land Use Standards

5.1.1 Flag Lots

Flag lots will be permitted in any residential development parcel. Flag lots provide additional variety to the streetscape, provide access to unusual land configurations, reduce the need for impacts to wetlands, minimize the amount of impervious surface area, and reflect many homebuyers' preference for this type of lot. Minimum lot frontage on an approved right-of-way shall be 25 feet for any flag lot. Not more than 10% of all detached lots in Las Calinas shall be flag lots. Each incremental master development plan shall indicate the cumulative number of flag lots. All driveways within flag lots must be not closer than five feet from the adjacent property line. There will be not more than three flag lots adjacent to each other. Flag lots which are adjacent to each other shall share a common driveway with access and utility easements. The location and design of single or shared driveways must demonstrate there will be no adverse drainage effect on adjacent lots. The following sketches illustrate typical flag lots and a typical shared driveway.

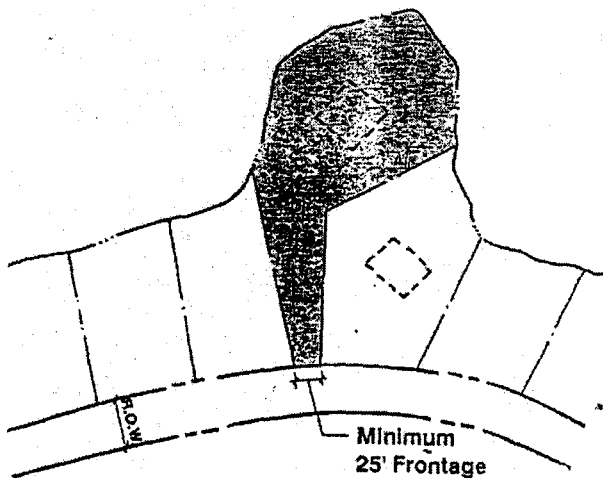


Figure 5.1.1(a) Typical Flag Lot

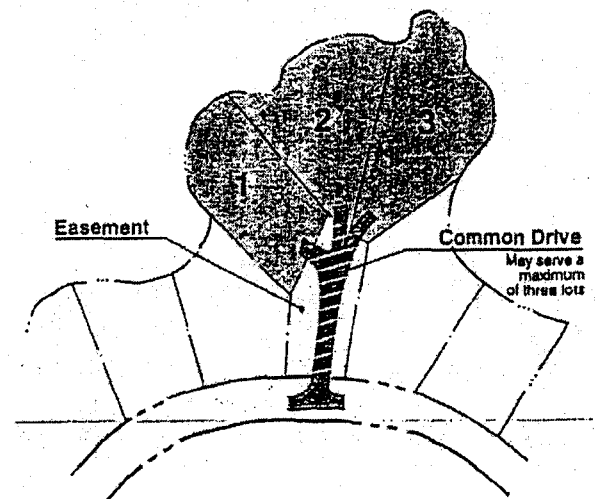


Figure 5.1.1(b) Typical Shared Driveway

5.1.2 Setbacks

Setback requirements for all the zoning districts and land uses are provided in the table below. Setbacks may need to be increased to meet specific fire and building code requirements. Additionally, some minimum setbacks provided in the development standards table may require easements and building/site improvements to provide for fire and building code compliance, maintenance, access, and drainage. These drainage improvements may require the use of gutters and site drainage collection system. The specific requirements will be defined during

incremental master development plan and final engineering review and approval.

All setback requirements will be provided on each incremental master development plan. Residences may be located wholly within a single platted lot or within a combination of platted lots. Setbacks shall be measured consistent with the Land Development Code.

Garage aprons or driveways to residential lots in any zoning district shall be designed to ensure adequate space for driveway parking outside of the road right-of-way.

Yard	Commercial	Attached Residential	Detached Residential
Front	0 feet	0 feet	10 feet
Rear	3 feet	3 feet	3 feet
Side Total	6 feet	6 feet	6 feet
Side Minimum	3 feet	2 feet	2 feet

5.1.3 Building Heights

Maximum building heights have been established for the following land uses:

**TABLE 5.1.3
BUILDING HEIGHTS**

Maximum Height*	Detached Residential	Civic and Attached Residential	Commercial and Office
Building	45 ft	60 ft.	65 ft.
Spires, Cupolas, Monuments, Parapets and Chimneys	50 ft.	75 ft.	75 ft.
Decks and Terraces	45 ft.	65 ft.	70 ft.

*As measured above the lowest point of the finish grade of the perimeter of the main structures.

Automatic sprinkler protection, designed in accordance with all applicable NFPA standards, shall be provided for all structures greater than 35 feet in height (excluding chimneys only)

The intent of the maximum building heights of detached residential structures is based on providing roof design flexibility for roof pitch and detailing, while maintaining a maximum height which is at or below the existing tree canopy within the East District.

5.1.4 Accessory Use and Erection of More Than One Main Use Structure on a Lot.

An accessory unit shall not be considered a separate dwelling unit provided the following conditions are met:

1. Unit may contain limited kitchen facilities such as a microwave oven, bar sink, less than 10 cubic foot refrigerator/freezer
2. Unit is not occupied by the same tenant in excess of 30 days within the same calendar year
3. Unit shall not be rented
4. Unit meets all the same required yards as the principal building/structure

6.0 INCREMENTAL MASTER DEVELOPMENT PLAN APPROVALS

One or more incremental master development plan will be prepared and submitted to St. Johns County in compliance with the Section 5.03.02.G of the St. Johns County Land Development Code. The residential portion of the PUD shall be encompassed within a single IMDP. The Las Calinas PUD is a portion of a multi-PUD Development of Regional Impact, the Marshall Creek DRI. To assure compliance with the general and special conditions of the DRI Development Order, as amended from time to time, and the orderly development of the DRI within the maximum development rights granted herein, all Final Development Plans and Construction Plans shall be accompanied by a letter of authorization from the Developer of Record of the DRI. In addition to the requirements outlined in the Land Development Code, incremental master development plans for Las Calinas will include the following:

- The currently approved PUD Master Development Plan with the proposed incremental master development plan highlighted and identified on the map to scale.
- The following Development Approval Summary Tables are included to easily track incremental master development plan related to the overall approval land use summary and PUD requirements.

TABLE 6.0(a)
LAS CALINAS PUD MASTER DEVELOPMENT PLAN APPROVALS

DATE:

Wetland Preservation	NEIGHBORHOOD PARKS		LAND USE			Status
			Single- Family	Multi- Family	Commercial	
		5.0 ac	425 du	0 du	19,000 sf	Maximum Allowed
0 ac		0 ac	0 du	0 du	0 sf	Requested Approval
0 ac		0 ac	0 du	0 du	0 sf	Previously Approved
0 ac		0 ac	0 du	0 du	0 sf	Total Requested Approved to Date
0 ac		0 ac	0 du	0 du	0 sf	Remaining

*Total area is subject to survey.

TABLE 6.0(b)
LAS CALINAS MASTER DEVELOPMENT PLAN APPROVALS

Wetland Preservation	PARKS		LAND USE				MASTER DEVELOPMENT PLAN REFERENCE
	Comm.	Neigh.	Single- Family	Multi- Family	Commercial		
0 ac	0 ac	0 ac	0 du	0 du	0 sf	0 sf	TOTAL

7.0 ENVIRONMENTAL CONSERVATION, WETLANDS, AND OPEN SPACE

7.1 Buffers

A minimum natural vegetative upland buffer of twenty-five (25) feet shall be required and maintained between the developed areas and the contiguous wetlands to protect the water quality of the wetlands, except where buffer averaging may allow less than the required minimum of 25 feet in certain locations while achieving a greater buffer width or where a variance is granted. Except where a variance is granted, no buffer shall be reduced to less than ten (10) feet except in circumstances where an unavoidable wetland impact occurs such as, but not limited to, a road crossing. Such upland buffer shall be measured from the jurisdictional wetland lines as determined by the SJRWMD or DEP. There will also be a 25-foot building setback to the upland buffer; however, up to 10% of the lots may have a reduced setback subject to County approval on an individual basis during Incremental Master Development Plan review. Accessory uses per Land Development Code Section 2.02.04 are allowed in the setback except for buildings with a permanent foundation.

7.2 Wetlands

Most of the property's wetlands will remain undisturbed. The Master Development Plan Map depicts the general area and location of the wetlands preserved in Las Calinas. The map does not identify all the wetland impacts which will be permitted by the U.S. Army Corps of Engineers and the St. Johns River Water Management District. Not more than thirty-five (35) acres of wetlands shall be impacted within the Las Calinas PUD. Wetland and undeveloped upland areas may be used to provide mitigation for on- and off-site wetland impacts. Wetlands shall be preserved on-site in the areas depicted on the Master Development Plan. The project's land planners made every effort to minimize impacts to the highest quality wetlands and to confine wetland impacts to the extent practicable to lower quality wetlands. The exact boundaries of the areas to be preserved shall be determined in connection with wetland delineation and management and storage of surface waters permitting by the St. Johns River Water Management District. The limits of the preserved wetlands and the conservation easement protecting those preserved wetlands shall be delineated on the incremental master development plans submitted for approval by St. Johns County. All incremental master development plans submitted to St. Johns County shall be consistent with the requirements of applicable permits issued by the St. Johns River Water Management District. Prior to commencement of clearing, earth movement, construction or other development within 500 feet of any wetlands within the jurisdiction of FDEP or SJRWMD, those wetlands shall be surveyed and the wetland boundaries shall be approved by the SJRWMD. All wetland and upland preservation areas required under this PUD shall be protected by conservation easements meeting the requirements of §704.06 of the Florida Statutes. The location and extent of the wetlands to be preserved shall be shown on incremental master development plans.

7.3 Open Space and Parks

7.3.1 Recreation and Open Space

The existing recreation amenity within the Las Calinas PRD may be utilized by residents of the Las Calinas PUD. The PUD will include a total of five (5) upland acres of active recreation. Recreation uses may include, but shall not be limited to, a sand volleyball court, a soccer or multi-purpose athletic field, picnic area with tables and bicycle racks, tennis courts, basketball courts, gazebos, a nature exercise trail and a parking area. The recreation amenities will be constructed by the Developer and maintained by an approved property owners association or community development district. The details for the recreational facilities may be provided on an approved separate incremental Master Development Plan.

7.4 Wildlife Crossings

Two (2) wildlife crossings shall be provided in the locations depicted on the MDP Map. The westernmost crossing (part of the Palencia North PUD) shall be a culvert crossing of either a prefabricated and arched concrete structure, a corrugated pipe or a structure of similar design, with a vertical clearance of a minimum of four (4) feet and a horizontal opening width which is no less than one tenth the width of the road and right-of-way which is being traversed or ten (10) feet whichever is larger. The other wildlife crossing shall be at grade with reduced speed limits and signs consistent with other such crossings approved in the County.

7.5 Historic Resources

A copy of the determination of final action letter from SHPO concurring with Environmental Services, Inc.'s findings has been provided to the County as part of deliberations on the Las Calinas PRD (Ordinance No. 2004-60).

8.0 THE INTENT OF THE PUD AND COMPLIANCE WITH THE ST. JOHNS COUNTY COMPREHENSIVE PLAN

The subject property is located within the Residential B future land use category as shown on the Future Land Use Map 2015 of the St. Johns County Comprehensive Plan, as amended. The St. Johns County Planning Department has determined that the proposed land uses, densities and intensities of development within Las Calinas are consistent with the Residential B future land use category of the St. Johns County Comprehensive Plan.

The Marshall Creek DRI shall continue to be designed and developed consistently with all other applicable goals, policies and objectives of the St. Johns County Comprehensive Plan. In particular, the project is designed to coordinate land uses with the appropriate environmental conditions and constraints; the Tolomato River estuary will be protected and established standards of federal and state agencies relating to water quality and quantity will be met; adequate buffers will be provided; vegetative buffers from natural drainage courses will be established and maintained; parks and open space will be provided to meet the demand generated by the proposed development; and the project will meet the requirements of the County's Concurrency Management System.

The project will provide on-site stormwater drainage facilities. The overall design incorporates generous green space, open space and varied active and passive on-site recreational opportunities. The project will provide interconnectivity between Las Calinas and the adjacent Marshall Creek (Palencia), Nocatee, Kensington, Pine Island Fish Camp and Las Calinas PUDs. The St. Johns County Utility Department has the capacity and will provide all of the water and sewer facilities to the PUD. The project will have minimal impact on the facilities and infrastructure of St. Johns County. The project is located immediately south of the Nocatee PUD and immediately north of the Marshall Creek PUD, which is an areas that is experiencing strong demand for housing in northern St. Johns County.

The Las Calinas PUD conforms to the County's Land Development Code, and specifically meets the intent of Article 5 with respect to Planned Unit Development. In summary, the plan as submitted assures a quality development designed to support the County's comprehensive plan and economic development objectives.

Approval of the Las Calinas PUD will not affect adversely the orderly development of St. Johns County as embodied in the Land Development Code and the Comprehensive Plan or portion thereof adopted by the St. Johns County Board of County Commissioners.

The proposed PUD will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the natural environment or to the use or development of adjacent properties or the general neighborhood. The PUD will also accomplish the following objectives:

- Permit a creative approach to the development of the land;
- Accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of the land development regulations;
- Provide for an efficient use of the land, resulting in smaller networks of utilities and streets and thereby lowering development costs;
- Provide an environment of stable character compatible with surrounding residential areas;
- Achieve 100 percent conformity with the County Comprehensive Plan, Zoning Code, and other applicable County ordinances;
- Reduce the burden of maintenance costs through efficient infrastructure and the provision of low-maintenance common areas; and
- Create jobs and support the County's economic base.

8.1 Waivers

- Relief from Section 6.02.01.B.3.a and Section 6.04.07.B to allow an easement in a platted subdivision and access to more than two lots from an easement.

- Relief from Section 5.03.02.G.2 for the Master Development Plan (contained herein as Exhibit A-1) not to illustrate the initial phase of development. This PUD is essentially a subsequent phase of the Marshall Creek PUD and should be treated as such whereby the Applicant submits an incremental MDP application for individual parcels that contain precise site layout. That layout is not known at this time and including any initial phase detail at this time would be erroneous and require a Major Modification to the PUD later as the MDP would not reflect the intended plan of development.
- Relief from Section 4.01.06.B.2.A maximum of 10% of the lots may have less than a 25-foot building setback from the upland buffer subject to, and as reasonably determined by, the County Administrator during approval of the Incremental Master Development Plan for the subject parcel. This request is due to the unique natural features of the site wherein the ridge/swale pattern and need to avoid wetland impacts will produce areas where there is not enough depth for upland buffer and a 25-foot building setback. There may be lots with wetland and upland buffers in the side yards where there is no need for a 25-foot building setback. The Developer requests this relief to avoid additional wetland impacts.
- Relief from Section 2.03.02.B. The 3,000-foot separation may not be conducive to the eventual tenants of this mixed-use PUD. This waiver shall allow the reduction in the required separation of vendors selling alcoholic beverages of greater than 14% from 3,000 feet to fifty (50) feet. The 3,000-foot separation, more applicable to rural applications, is not appropriate for more urban and pedestrian environments. This deviation promotes more compact urban design patterns and allows a variety of restaurants, cafes, taverns, and other types of entertainment establishments to be located in close proximity or adjacent to each other, creating more critical mass and dynamic mixed use districts. The economic viability and opportunities to serve the neighborhoods and the Marshall Creek DRI community is increased.

Las Calinas PUD

Master Development Plan

Exhibit A-1

NOTES:

(1) Preservation areas are shown as generalized areas and are subject to change based on final design, permitting and final wetland surveys.

(2) Upland buffers adjacent to wetlands are to remain natural, vegetative and undisturbed, except those silvicultural activities pursuant to BMP's.

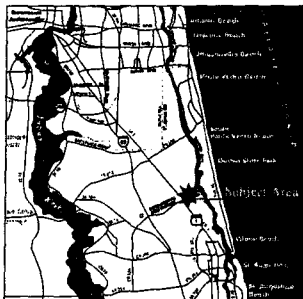
(3) All upland buffers will be identified and staked with a silt fence/protective barrier prior to any land clearing. The silt fencing may be placed landward of the upland buffer at the physical limits of construction.

(4) The Developer will be the responsible party in the event that there is an unauthorized impact to the upland buffer(s).

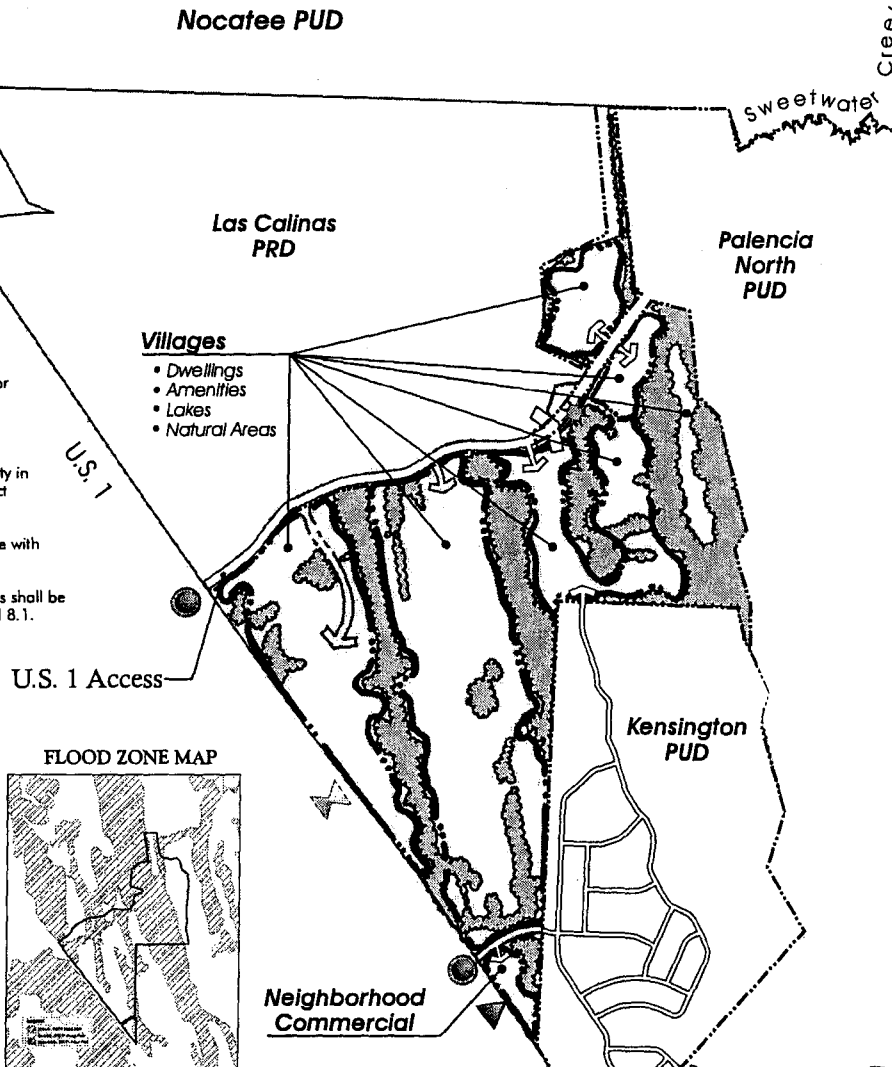
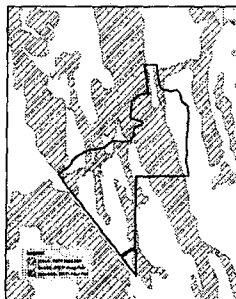
(5) Sidewalks shall be provided in accordance with MDP Section 2.3.1.

(6) Upland buffers and their building setbacks shall be provided as required in MDP Section 7.1 and 8.1.

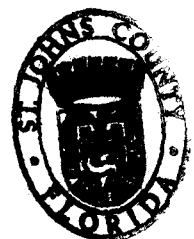
LOCATION MAP



FLOOD ZONE MAP



HEREBY CERTIFY THAT THIS DOCUMENT
IS A TRUE AND CORRECT COPY AS APPEARS
ON RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND AND OFFICIAL SEAL
THIS 29th DAY OF November 20 05
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners



BY: Luanne King D.C.

The Master Development Plan Map is a general representation of the approved plan of development. Final construction and engineering plans must demonstrate compliance with all requirements of the PUD/PRD and other applicable land development regulations.

APPROVED: _____

DATE: _____

ORDINANCE NUMBER: _____

FILE NUMBER: _____

LEGEND

- At-grade Wildlife Crossing
- ✱ Culvert Wildlife Crossing
- Full Access
- ▶ Right Turn Access
- ✕ Existing Median Opening



Prosser Hallock
PLANNERS & ENGINEERS

October 12, 2005

102056.06

OCT 20 2005

THE ST. AUGUSTINE RECORD

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

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **CHARLES BARRETT**
who on oath says that he is an Accounting Clerk of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being **NOTICE OF HEARING**
in the matter of **PUD 05-32 LAS CALINAS**

was published in said newspaper in the issues of

OCTOBER 17, 2005.

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

Sworn to and subscribed before me this **17TH** day of **OCTOBER, 2005.**

by *Patricia A. Bergquist* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.



Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

(Signature of Notary Public)

(Seal)


PATRICIA A. BERGQUIST

COPY OF ADVERTISEMENT

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, November 3, 2005 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency and Tuesday, November 15, 2005 at 9:00 a.m. by the Board of County Commissioners, in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to rezone from Planned Rural Development (PRD) to Planned Unit Development (PUD).

The subject property is located at 12500 US 1 North within St. Johns County, Florida.



This file is maintained in the Planning Department of the Growth Management Services, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

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 assistance for this proceeding should contact the County ADA Coordinator at (904) 209-0450 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. For hearing impaired individuals, call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedures. It is anticipated that one or more County Commissioners may attend this meeting. Interested parties should limit contact with the Board of County Commissioners and the Planning and Zoning Agency members to the extent necessary with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
BRUCE A. MAGUIRE, CHAIRMAN
PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
RONALD S. SCHUMAKER, CHAIRMAN
FILE NUMBER: PUD 2005-32 Las Calinas
OCTOBER 17, 2005