PONTE VEDRA ZONING DISTRICT REGULATIONS

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PONTE VEDRA ZONING DISTRICT REGULATIONS

SECTION I

DEFINITIONS

For the purpose of these Regulations and enforcement thereof, the following definitions for terms used shall apply to all Zoning Districts. Where words or terms are not defined, they shall have their ordinarily accepted meaning. Words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular; the word "Building" includes the word “Structure”; the word “shall” is mandatory; the word “may” is permissive. All provisions of the St. Johns County Land Development Code, Ordinance 99-51, as amended, that are not in conflict with the provisions of the Ponte Vedra Zoning Ordinance shall apply to the Ponte Vedra Zoning District. Furthermore, in the case of a reference to a repealed St. Johns County ordinance, the land development regulation adopted to replace such repealed ordinance shall apply.

Accessory Use or Building: A subordinate use or Building incident to and subordinate to the principal use or Structure and on the same premises. See Home Office.

Adjacent: Adjacent properties shall be those directly abutting the subject property, or those which would abut by excluding:

A. public Right-of-Way; or

B. Publicly owned property fifty (50) feet or less in width.

C. Drainage ponds, lagoons, or other water bodies within a linear distance of 300 feet.

D. Recreational facilities such as parks, golf courses or similar passive recreational uses within a linear distance of 300 feet.

After-the-Fact Compliance and Mitigation Permit: A Protected Tree Removal Permit issued after the unauthorized removal of a Protected Tree(s).

Alley: A roadway dedicated to public use which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

Advertising Structure: Any Structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising may be placed.

Antenna: Any exterior apparatus designed to transmit and/or receive communications authorized by the Federal Communications Commission (FCC).

Apartment Building: See Dwelling, Multiple.

Attic: The non-heated/non-air conditioned space immediately below the roof of a Building.

Attic Story: Any Story situated wholly or partially in the roof, so designated, arranged or built as to be used for business, storage or habitation.

Basement: Any Building Story having a Floor below Established Grade.

Building: Any Structure having a roof supported by columns or Walls.

Building Area: Interior area exclusive of non-heated/air conditioned space such as porches and Garages.

Building Front: The front of a Building shall be that which faces the rear of a required Front Yard.

Building Height: The vertical distance measured from the lowest point of Established Grade level surrounding the perimeter of the Building to the highest point of the roof or parapet.

Building Pad: The horizontal limits of the area defined by the Building foundation and up to five (5) feet outside of the Building foundation.

Building Restriction Line (BRL): See Line, Building Restriction.

Club: (Including, but not exclusive to surf Club, beach Club, golf Club, tennis Club) A private facility organized for social and/or recreational purposes and restricted to members and their guests.

Coastal Construction Control Line: As delineated by the Department of Environmental Protection of the State of Florida.

Commercial Vehicle: Any vehicle bearing or required to have commercial license plates, has business advertising or falls into one or more of the following categories: (1) truck tractor; (2) semi-trailer, which include flat beds, dump bodies and box-type enclosures; (3) vehicles used for commercial services or delivery trucks, which include construction oriented contractors; (4) tow trucks; (5) commercial hauling trucks; (6) vehicle repair service trucks; (7) vehicle which has permanently mounted outside brackets or holders for ladders, tools, pipes, or other similar equipment.

Communication Tower: See Tower, Communication.

Condominium: See Dwelling, Multiple Family.

Crawl Space: That portion of non-heated/non-air conditioned space between the exposed earth and the upper surface of the floor next above. Crawl Space that averages less than six (6) feet in height shall not be deemed a Story.

Diameter at Breast Height (DBH): The standard diameter measure of a single-trunked Tree at four and one-half (4 ½) feet above grade. When a Tree is Multi-Trunked, DBH shall be equal to the aggregate diameters of the individual trunks measured at four and one-half (4 ½) feet above grade. Where the individual stems are less than eight (8) inches in diameter, the largest three (3) trunks will be used.

District: Districts of Ponte Vedra Zoning District; see Section II.

Dock: An uncovered platform no higher than the adjacent Land extending out over water.

Dwelling: A residence for one (1) or more Family units.

Dwelling, Multiple Family: A Building or portion thereof used or designed as a residence for three or more Families living independently of each other, such as an apartment, row-house or townhouse.

Dwelling, Single Family: A detached Building designed for, or occupied exclusively by, one Family.

Dwelling, Two Family, (Duplex): A detached Building designated for or occupied exclusively by two Families living independently of each other.

Earth Tone: Any of various warm, muted colors ranging from neutral to deep brown.

Established Grade: Planned elevation of surface of ground, driveway or walkway after construction and landscaping are completed.

Exempt Trees: Means species listed by the Florida Exotic Pest Plant Council or Florida Administrative Code section 5B-57.007 “State Noxious Weed List,” all pine tree species and all palm tree species. Exempt Trees may not be used for Tree inch mitigation value.

Family: One or more persons living together as a single housekeeping unit and occupying a single Dwelling unit, provided that unless all members are related by Family law, blood, adoption, or marriage, no such Family shall contain over five (5) persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a separate or additional Family or Families. The term Family shall not be construed to mean a fraternity, sorority, Club, monastery, convent or institutional group.

Fence: See Wall.

Filling Station: See Station, Filling; Station, Service.

Floor: Any horizontal surface or Structure that serves as a base for Building space. The ground or a set of horizontal rafters may serve as a Floor.

Floor Area, Gross (GFA): The Gross Floor Area shall be construed as the sum of the gross horizontal areas of the several floors of a building measured from the exterior faces of the exterior Walls of from the centerline of Walls separating two Buildings, excluding Attics, Crawl Spaces, Garages, unenclosed stairs or fire escapes, elevator Structures, cooling towers, areas devoted to air conditioning, ventilating or heating or other Building machinery and equipment.

Frontage: All the property abutting on one (1) side of a Street between two (2) intersecting Streets measured along the Street Line (See Yard, Front).

Garage, Private: A covered space used in any residential District, and providing for the storage of motor vehicles.

Garage, Public: Any Building or premises, except those described as a Private or Storage Garage, used for the storage or care of motor vehicles, or where any such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale.

Garage, Storage: Any Building or premises, other than a Private or Public Garage, used exclusively for the parking or storage of motor vehicles.

Golf Course: An area of not less than sixty (60) acres for the playing of golf, with a minimum of nine (9) holes.

Hardscape: Structural elements of a landscape plan, such as a Wall, walk, patio, pool and fountain.

Hardship: A circumstance negatively affecting use of a property that is (a) peculiar to a particular property, (b) not general to the area or neighboring properties, and (c) not caused by some action or characteristic of the property owner or user.

Home Office: A home occupation consisting of a private office of a practitioner of a recognized profession, business or trade which is located entirely within the residential Structure and does not involve in office contact with clients or the public and is clearly accessory, incidental and secondary to the residential Use of the Building and property (See Section VIII.K).

Hotel, Motel: A Building or a group of Buildings in which accommodations are offered to the public and intended primarily for rental to transients with daily charge, as distinguished from Family Dwellings, where rentals for periods of a week or longer and occupancy is generally residential rather than transient.

Integrated Average: The average surface elevation of the ground of a defined area measured at 10-foot horizontal grid intervals.

Land: Real property, including marsh, water and swamp.

Land Fill: The placement of dirt, sand or other suitable clean fill material on the surface of a Lot or Parcel of Land, excluding fill added within the horizontal limits of the area defined by the Building foundation.

Line, Building Restriction: A line offset a prescribed distance within a Property Line beyond which construction is not permitted unless authorized herein.

Line, Property: A line defining boundaries of a Lot or parcel of Land as recorded by deed and survey or plat.

Lot: A parcel or plot of ground that is or may be occupied by a Building and accessory Building or Buildings, including the open space required under these Regulations. For the purpose of these Regulations, the word “Lot” shall be taken to mean any number of contiguous Lots or portions thereof, as shown on the map of record, upon which one or more main Structures for single use are to be erected.

Lot, Corner: A Lot abutting upon two (2) or more Streets at their intersections.

Lot Depth: The depth of a Lot, for the purpose of these Regulations, is the distance measured in the mean direction of the side lines of the Lot from the midpoint of the front Lot line to the midpoint of the opposite main rear line of the Lot.

Lot, Interior: A Lot other than a Corner Lot.

Lot, Through: An interior Lot having Frontage on two Streets, Frontage adjacent to water bodies such as lakes, lagoons, canals and a Street, or Frontage adjacent to other recreational features such as parks, golf courses, or similar passive recreational uses and a Street.

Lot of Record: A Lot which is part of a sub-division, the plat “or the legal description of property using metes and bounds” which has been recorded in the office of the Clerk of the Circuit Court of St. Johns County.

Lot Width: Width of a Lot shall be considered to be the distance between straight lines connecting Front and Rear Lot lines at each side of the Lot, measured across the rear of the required Front Yard, provided, however, that the width between Side Lot lines at their foremost points (lot, frontage or where they intersect with the Street Line) shall not be less than eighty percent (80%) of the required Lot width except in the case of Lots on the turning curve of a road or the circle of a cul-de-sac, where the eighty percent (80%) requirements shall not apply. The minimum Lot frontage of Lots on the turning curve of a road or the circle of a cul-de-sac shall be twenty-five (25) feet at the Street Line. The minimum dimension of the buildable Lot shall not be less than the required minimum Lot width at the rear of the Front Yard. In the case of Lots not meeting the minimum lot frontage, the Front Yard shall be extended to the point at which the minimum lot width is met.

Motel: See Hotel.

Multi-Trunked Tree: Any Tree that grows with two (2) or more trunks. For survey purposes, an existing Multi-Trunked Tree shall branch at a minimum of one (1) foot above grade and the DBH of all trunks shall be added together to obtain the total DBH.

Non-Conforming Lot: A real property parcel or Lot existing in the Ponte Vedra Zoning District that does not meet a minimum area or Building width requirement of these Regulations and has not met such requirement since these Regulations became effective.

Non-Conforming Structure: A man made construction existing in the Ponte Vedra Zoning District, which was in existence and did not comply with a particular requirement of these Regulations at the time such requirement became effective.

Non-Conforming Use: A Structure or Land use that was in existence and did not comply with a particular requirement of these Regulations at the time such requirement became effective.

Overlay District: A special zoning district overlaying existing districts along selected roadways.

Parking Lot: An area or plot of ground used for the storage or parking of motor vehicles.

Parks and Playgrounds: Areas dedicated to the public for recreation.

Planned Special Development (PSD) and Planned Unit Development (PUD): A form of development characterized by a unified site design having common open space, coordinated landscaping, Roads and walks, and which may include a mix of Building types and Land uses, with densities calculated over the entire development.

Ponte Vedra Coastal Corridor: That portion of the Coastal Corridor that lies within the Ponte Vedra Zoning District.

Ponte Vedra Zoning and Adjustment Board (PVZAB): A board appointed by the St. Johns County Board of County Commissioners as referenced in Section XII of these Regulations.

Protected Area: An area surrounding a Protected Tree, a Historic Tree, or a Specimen Tree within which ground disturbance is prohibited in order to prevent damage to the Protected Tree and the roots and soil around the Protected Tree base; the dimensions of which shall be the Drip Line, centered at the Protected Tree.

Protected Tree Removal Permit or Permit: The permit issued by the County prior to removal of a Protected Tree.

Protected Tree: Any Tree having a Diameter at Breast Height of ten (10) inches or greater, excluding Exempt Trees.

Recreational Vehicle: A vehicular portable Structure built on a chassis with its own wheels, either self-propelled or towed by another vehicle, designed to be used as a temporary Dwelling for travel, vacation, camping or recreational purposes and including travel trailers, camping trailers, pick up campers, converted buses, motor homes, tent trailers, boats, boats on trailers, and boat trailers including other similar devices.

Remove or Removal: The actual physical removal of a Tree or the effective removal through damaging, poisoning, excessive pruning or other direct action resulting in, or likely to result in, the death of a Tree.

Rezoning: The change in the District classification of Land or any change in the uses permitted, as referenced in Sections III, IV, V and VII. A Rezoning requires the approval of the Board of County Commissioners.

Roadway: Means Arterials, Collectors (Major and Minor), and Local Roads.

Roadway Classifications:

Arterial: A part of the roadway system serving as a principal network for through traffic flow, including all State Roads and any other roadway serving a similar function as designated by the St. Johns County Board of County Commissioners.

Major Collector: A part of the roadway system serving as a principal network for through traffic flow. The routes connect areas of principal traffic generators (See Roadway Functional Classifications in Appendix E of the St. Johns County Land Development Code).

Minor Collector: A distributor and collector roadway servicing traffic between Major Collectors and Local Roads (See Roadway Functional Classifications in Appendix E of this Code). In addition, roadways serving as major entrances to residential or commercial Developments will be classified as Minor Collectors when the traffic volume is projected to exceed two thousand (2000) vehicles per day (VPD) at build out**.**

Local Road: Roadway used primarily for direct access to Residential Driveways, Commercial Driveways, or other abutting roads.

State Road: Any Street, road, highway or other way open to travel by the public generally and dedicated to public use according to law or by prescription and designated by the Florida

Department of Transportation, as provided by law, including Freeways, Principal Arterials, and Minor Arterials, as part of the State Highway System.

Commercial Driveway: Roadways used for direct access from Local Roads or Collector Roadways to commercial, office, industrial, institutional Uses, or multi-family residential Projects.

Residential Driveway: A cleared or improved driveway located on a privately owned Parcel or located within a Right-of-Way or Easement owned by property owners adjoining the driveway. The Right-of-Way or Easement must be recorded. A residential driveway located entirely within a single Parcel need not be located within an Easement. A residential driveway does not serve more than two (2) Dwelling Units and does not extend beyond property lines of those units served.

Roadway, Overlay District Delineated: The roadways within the Ponte Vedra Zoning District, which define the geographical jurisdiction of the Overlay District (See Section VIII.Q).

Shopping Center: A group of retail stores or service establishments, or any other group of businesses planned to serve a community or neighborhood not necessarily owned by one party nor by a single Land ownership, which are adjacent to and utilizing a common parking area or common parking areas.

Sign: Any Structure or device which is erected, constructed or maintained outside of enclosed Buildings or Structures for the purpose of display, information or advertisement. National or State flags shall not be construed as Signs.

Sign, Awning: A Sign painted, stamped, perforated, or stitched or otherwise applied on an Awning.

Sign, Banner Type: Signs or displays comprised wholly or in part of banners or flags.

Signs, Campaign: A Sign erected to advocate the candidacy of individual(s) for elective office, an issue, cause or referendum.

Sign, Face Area: The area enclosed by the perimeter of the Sign, including framing or projections thereto, provided, however, that in the case of painted Wall Signs or flat Signs, when composed of letters only (whether script or printed letters), Sign area is the area enclosing contiguous letters and words.

Sign, Ground: A Sign placed in or close upon the ground, and not attached to any Building.

Sign, Non-Conforming: An Advertising Structure or Sign which was lawfully erected and maintained prior to such times as it came within the purview of this Regulation, and has been continuously used or maintained since that time.

Sign, Pole: A Sign erected upon a Pole or Poles and which is wholly independent of any Building for support. A free standing Sign.

Sign, Roof: A Sign painted upon or erected upon, or which extends above, the roof of the Building to which it is attached.

Sign, Snipe: A Sign generally of a temporary nature, made of any material when such Sign is tacked, stapled, nailed, posted, pasted, glued or otherwise similarly attached to trees, poles, stakes, Walls or Fences or to other such objects.

Sign, Spectacular or Animated: Any Sign that has exposed neon lights, or which moves or has moving parts, or which has intermittent or varying lighting.

Sign, Wall: A Sign attached to, or painted on, the Wall of any Building when such Sign projects not more than twelve (12) inches from the Building.

Specimen Tree: A Specimen Tree is any Protected Tree with a DBH of thirty (30) inches or greater except for Live oaks (*Quercus virginiana*) with a DBH of fifty (50) inches or greater, Sand Live oaks (*Quercus geminata*) with a DBH of eighteen (18) inches or greater and Southern Red cedar (*Juniperus silicicola*) which is a DBH of twelve (12) inches or greater.

Standard Industrial Code: The Code published by the Federal Office of Management and Budget pertaining to industrial classifications dated 1987.

Station, Filling: A Building or Lot where gasoline, oil and lubricants are supplied and dispensed to motor vehicles.

Station, Service: A Filling Station, which also provides minor repairs and services.

Story: That portion of a Building included between the upper surface of a floor and upper surface of the floor or roof next above.

Street: A public or private thoroughfare which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, Road and any other thoroughfare except an Alley.

Street Line: The line between the Street and abutting property; right-of-way line.

Structure: Anything constructed or erected, including but not limited to Fence or Wall, pools, Parking Lot, signs, driveways and decking, Bulkheads and retaining walls, the use of which requires more or less permanent location on the Land or attachment to something having a permanent location on the Land. See Building.

Structural Alterations: Any change in the supporting members of a Building, such as bearing Walls, columns, beams or girders, except for replacement.

Subdivision: A group of homes and/or Lots in a community or neighborhood situated in a contiguous area identified by a recorded name.

Tower, Communication: Any Structure that is designed and constructed primarily for the purpose of supporting one or more Antennae, including self-supporting lattice towers, guy towers, or monopole towers.

Tower, Alternative Structure: Alternative-design mounting Structures including but not limited to man-made trees, clock towers, bell steeples, light poles, etc.

Tower, Site: A parcel of Land which may be smaller than the minimum Lot size required in the zoning District completely contained within a Lot meeting the requirements of the zoning District for the purposes of locating a Communication Tower.

Tree: A woody plant with a well-defined stem and crown that meets the definition of Protected, Exempt or Specimen Trees.

Tree Protection Barricade: Any Structure or device which protects preserved Trees and is to be installed at the Protected Area.

Used Car Lot: A Lot used for the display and sales of used automobiles where no repair work is done except the necessary reconditioning of the cars to be displayed and sold on the premises.

Used Car Junk Yard: A Lot used for the dismantling or wrecking of used automobiles or the storage, sale or dumping of dismantled or wrecked cars or their parts.

Variance: A relief granted from literal enforcement of a zoning ordinance permitting use of property in a manner otherwise forbidden, upon a finding that enforcement of the ordinance as written would inflict unnecessary Hardship on the property owner(s).

Variance, Non-Zoning: A case-by-case deviation to the rules of this Code, when it is demonstrated that compliance with the Code would be a practical impossibility, and/or upon showing of good cause, an alternative to the Code is provided that conforms to the general intent and spirit of the Code. The Board of County Commissioners may require such conditions that will, in its judgment, substantially secure the same objectives of the standards or requirements so varied or modified.

Variance, Use: A Variance granted for a use or structure that is not permitted in the zone that will not impair substantially the intent and purpose of the zone plan and ordinances and will be without substantial detriment to the public good.

Variance, Zoning: A Variance granted for items that will not be contrary to the public interest, and where, by reason of exceptional narrowness, shallowness, or unusual shape of a specific piece of property, or by reason of exceptional topographic conditions or other extraordinary situations or conditions of such piece of property, or by reason of the use or development of property immediately adjoining the piece of property in question, the literal enforcement of the requirements of the Zoning Ordinance would cause undue Hardship to the applicant. In this context, personal, family, or financial difficulties, loss of prospective profits, similar neighboring violations, or Hardships created by an act of the owner are not considered Hardships justifying a Variance. See Hardship.

Vehicle: A form of transportation, including motorized and non-motorized vehicles designed and required to be licensed for use upon a highway in the State of Florida.

Wall: An upright Structure serving to enclose, divide or protect an area.

Wall (Fence) Height: The maximum vertical distance from the Established Grade on the outer side of the Wall to the top of the Wall, including any capitals or cornices on the Wall.

Wall, Retaining: A Wall used to support earth, sand, fill or stones, or similar materials.

Yard: An open space on the same Lot with a Building, unoccupied and unobstructed from the ground upward, except by trees or shrubbery or as otherwise provided herein.

Yard, Front: A Yard across the full width of the Lot extending from the front Building Restriction Line to the Front Property Line.

Yard, Rear: A Yard across the full width of the Lot, extending from the rear Building Restriction Line to the Rear Property Line.

Yard, Side: A Yard between the front and rear Building Restriction Lines extending from the side Building Restriction Line to the Side Property Line.

Yard, Utility: An area walled off, fenced or otherwise screened from view so those objects therein are not visible from adjacent areas.

SECTION II

DISTRICTS AND BOUNDARIES

In order to regulate and restrict the height and size of Buildings; to regulate and restrict the intensity of Land use; to regulate the area of yards, courts and other space about Buildings, to classify, regulate and restrict the location of commerce and industries and the location of Buildings designed for specified industrial, commercial, residential and other uses, that portion of St. Johns County heretofore described as Ponte Vedra Zoning District (to be hereinafter referred to as the District) is hereby divided into Districts of which there shall be nine (9) as follows:

Ponte Vedra Zoning District Designations

R-1-A	Single Family Residential District
R-1-B	Single Family Residential District
R-1-C	Single Family Residential District
R-1-D	Single Family Residential District
R-2	Multiple Family Residential District
R-2-A	Multiple Family Residential District
R-3	Commercial District
R-4	Recreational District
R-5	Utility District

The boundaries of the said Districts are hereby established as shown on the maps of Zoning District Number 5 (See SECTION XII.F) which are hereby adopted and made a part of these Regulations, said maps and all notations, references and other information shown thereon shall be as much a part of these Regulations as if the matters and information set forth thereon were fully described herein.

The boundaries of various Districts as shown upon the maps shall be determined by use of the scale shown on said maps, unless actual dimensions are noted. Scale and field measurements and map dimension shall be figured from the centerline of Streets, highways and Alleys, unless otherwise indicated. Where uncertainty exists as to the exact location of said boundaries, the following rules shall apply:

a. Where the District boundaries lie on or within Streets, highways, Roads or Alleys, the District boundaries shall be the centerline of such Streets, highways, Roads or Alleys.

b. Where District boundary lines approximately bisect blocks, the boundaries are the median lines of such blocks, between the centerlines of boundary Streets.

c. Where District boundaries are approximately parallel to a Street, highway, Road or Alley, the distance of such boundaries from the centerline of such Street, highway, Road or Alley shall be the median block line unless otherwise shown by dimension.

d. Where a District boundary line divides a Lot or tract of Land into two (2) Zoning Districts, the entire Lot or tract shall be given the zone classification of the largest part.

e. In case of final uncertainty the St. Johns County Board of County Commissioners on advice of the Ponte Vedra Zoning and Adjustment board (to be hereinafter referred to as the PVZAB) shall interpret the zoning map to fix the exact location of boundaries.

The use provisions in the various Zoning Districts are exclusive, and any use not included under Uses Permitted shall be prohibited in such Districts.

SECTION III

R-1 SINGLE FAMILY RESIDENTIAL DISTRICTS

A. Uses Permitted.

In these Districts, a Building or Land shall be used only for the following purposes:

1. Single Family Dwellings.
2. Buildings accessory to such Single Family Dwellings, including non-commercial boat docks.
3. Uses accessory to such Single Family Dwellings, including Home Office.

B. Requirements and Limitations.

The following requirements and limitations shall apply to any Building or Land in these Districts:

1. Minimum Dimensions:

Zoning District	R-1-A	R-1-B	R-1-C	R-1-D
Minimum Lot Area	22,500 Sq. Ft.	17,000 Sq. Ft.	7,200 Sq. Ft.	7,200 Sq. Ft.
Lot Width	150 Feet	100 Feet	60 Feet	60 Feet
Front Yard Requirement (See *1, *2 ,*6 and *7)	40 Feet	40 Feet	25 Feet	25 Feet
Side Yard Requirement (See *3 and *6)	10 Feet	10 Feet	7 ½ Feet	7 ½ Feet
Rear Yard Requirement (See *1 and *6)	40 Feet	40 Feet	25 Feet	25 Feet
Total Building Area (See *4)	1,800 Sq. Ft.	1,800 Sq. Ft.	1,000 Sq. Ft.	1,800 Sq. Ft.
1st Floor Total Building Area (See *5)	1,200 Sq. Ft.	1,200 Sq. Ft.	700 Sq. Ft.	1,200 Sq. Ft.

*1 Ocean Front Lots—See Section VIII.H
*2 Attached Structures—See Section VIII.K
*3 Corner Lots—See Section VIII.G
*4 Exclusive of Porches, Verandas and Garages
*5 For 1 ½ and 2-Story Dwellings Only
*6 Building Restriction Lines—See Section VIII.D
*7 Building Restriction Lines on unplatted parcels on Ponte Vedra Blvd between Miranda Rd. and Corona Rd. – See Section VIII.D

2. Maximum Building Height—two (2) Stories except Section III.B.10-11; thirty-five (35) feet—See Section VIII.I.
3. Attached Structures. See Section VIII.K.
4. Accessory Structures. See Section VIII.L

5. Maximum Lot Coverage. See Section VIII.M.

6. Parking Requirements. See Section IX.A.

7. Not withstanding Buffer regulations set forth in Section VIII.F.10 of this Code, where a Lot in a plat recorded prior to the date of the adoption of the original Resolution (October 26, 1965) has an area less than the required minimum, said Lot may be occupied by a Single Family Dwelling provided that the minimum Front and Side Yard requirements set out herein are met and that the depth of the Rear Yard setback is at least twenty (20) feet for the R-1-A and B Districts and ten (10) feet for the R-1-C and D Districts. For the R-1-D District only, the minimum Dwelling size shall be that amount equal to the minimum square footage shown above times the percentage that the actual Lot size is to the minimum specified Lot size. In no event, however, shall the minimum be less than that shown above for the R-1-C District.

8. The following objects may be allowed on Building plots only if same are located within the Dwelling or within a Utility Yard: Pens, houses for pets, above ground storage, storage cabinets construction materials, wood coal, oil tanks, gas tanks, clothes racks, clothes lines, garbage and trash receptacles.

9. Applicable provisions of all other Sections of these Regulations shall apply.

10. In the R-1-B District from the Sawgrass Planned Unit Development south to the end of the Ponte Vedra Zoning District, between the west side of County Road 203 (becomes State Road A1A south of Mickler's Landing) and the marsh line, a three (3) Story, thirty-five (35) foot height Building is allowed if the footprint of the Building is to be more than five (5) feet below the centerline of the Road. Prescribed uses for the lower level, which shall constitute the first Story of the Building, shall be non-habitable and limited to Garages, storage and laundry. For the purposes of this regulation, south of the Sawgrass Planned Unit Development is defined as those areas south of the intersection of Sawgrass Drive East and Ponte Vedra Boulevard.

11. In the R-1-A District from the Sawgrass Planned Unit Development south to the end of the Ponte Vedra Zoning District, between the east side of County Road 203 (becomes State Road A1A south of Mickler's Landing) and the Atlantic Ocean, a three (3) Story, thirty-five (35) foot maximum height Building is allowed if the lower level is constructed into the existing dune. No more than three (3) feet of the lower level may extend above the dune on the ocean side of the Building. The ocean-side Wall must be west of the ocean-side platted Building Restriction Line or the Coastal Construction Control Line whichever is the more westerly line. Prescribed uses for the lower level, which shall constitute the first Story of the Building, shall be non-habitable and limited to Garages, storage and laundry. For the purposes of this regulation, south of the Sawgrass Planned Unit Development is defined as those areas south of the intersection of Sawgrass Drive East and Ponte Vedra Boulevard.

12. Lots zoned R-1-A or R-1-B and located on County Road 203 (Ponte Vedra Boulevard) within the Ponte Vedra Zoning District may be permitted two driveway connections. Driveways shall follow the design and spacing standards in Section 6.04.05.C.1 of the St. Johns County Land Development Code.

SECTION IV

R-2 MULTIPLE FAMILY RESIDENTIAL DISTRICTS

A. Uses Permitted.

In these Districts, a Building or Land shall be used only for the following purposes:

1. R-2 District.

   a. Any use permitted in the R-1 Single Family Residential Districts.

   b. Multiple Family and Duplex Dwellings.

   c. Hotels and Motels with their incidental businesses but excluding Filling or Service Stations.

   d. Parks and Playgrounds.

   e. Golf Courses.

   f. Public, private and parochial schools.

   g. Public Buildings used exclusively by federal, state, county or city government for public purposes, except penal or correctional institutions.

   h. Churches and church educational Buildings.

   i. Accessory Buildings and uses customarily incident to any of the foregoing.

   j. Attached Structures. See Section VIII.K.

   k. Non-commercial boat docks.

2. R-2-A District.

   a. Any use permitted in the R-1 Single Family Residential Districts.

   b. Multiple Family and Duplex Dwellings.

   c. Buildings accessory to such Single and Multiple Family and Duplex Dwellings.

B. Requirements and Limitations.

The following requirements and limitations shall apply to any Building or Land in these Districts, except where there is a conflict with the regulations of the Overlay District which in all cases shall supersede these requirements and limitations.

1. Minimum Dimensions:

Permitted Uses	Single-Family	Duplex	Multi-Family	Other
Lot Area	17,000 Sq. Ft.	17,000 Sq. Ft.	19,000 Sq. Ft. *5	----
Lot Width	100 Feet	110 Feet	120 Feet	----
Yard Requirement	**Single-Family**	**Duplex**	**Multi-Family**	**Other**
Front (See*1, *2, *3, *6)	40 Feet	40 Feet	30 Feet	30 Feet
Side (See *4)	10 Feet	10 Feet	10 Feet	10 Feet
Rear (See *1, *6)	40 Feet	40 Feet	30 Feet	30 Feet
Between Buildings	----	----	20 Feet	20 Feet

*1 Ocean Front Lots-- See section VIII.H.
*2 Attached Structures-- See Section VIII.K.
*3 Buffer Areas-- See SectionVIII.F.5.
*4 Corner Lots-- See Section VIII.G.
*5 19,000 square feet for 3 or 4 Dwelling units; for each additional Dwelling unit-3,000 square feet.
*6 Building Restriction Lines-- See Section VIII.D.

2. The requirements and limitations stated in Section III.B. for the R-1-B Districts shall apply to Single Family Dwellings.

3. Maximum length of Buildings allowed parallel to and within one hundred fifty (150) feet of the right-of-way of any public Road or Street-three hundred (300) feet.

4. Maximum Building Height, all uses-two (2) Stories; thirty-five (35) feet. See Section VIII.I.

5. Adequate on-site parking shall be provided for all uses. See Section IX.

6. Applicable provisions of all other Sections of these Regulations shall apply.

7. Provisions of the Overlay District shall apply.

SECTION V

R-3 COMMERCIAL DISTRICT

A. Uses Permitted.

In R-3 Commercial Districts only the following Structures and uses are permitted:

1. Any use permitted in R-2 Multiple Family Districts.

2. Service Stations and convenience stores.

3. Restaurants without drive-in or drive-through services.

4. Private Clubs.

5. Offices and financial and professional establishments.

6. Veterinary hospitals.

7. Landscape, lawn and garden services.

8. The following retail businesses selected from the Standard Industrial Code, numbers 52 through 59, when all activities are conducted entirely within a Building, except where excluded or limited below:

Retail Trade

52. Building materials, hardware and garden supply.
53. General merchandise stores.
54. Food stores.
55. Gasoline service stations.
56. Apparel and accessory stores.
57. Home furniture, furnishings and equipment stores.
58. Eating and drinking places.
59. Miscellaneous retail.

The following businesses shall not be permitted:

a. Cocktail lounges and bars, unless incidental to a Hotel, restaurant, or private Club.
b. Liquor sales.
c. Sales of fireworks.
d. Sales of new or used automobiles.
e. Sales of mobile homes or recreational vehicles.
f. Sales of used or surplus merchandise, such as is sold at flea markets.
g. Fuel, oil or liquefied petroleum gas dealers.
h. Drive-in restaurants.
i. Drive-through restaurants.

9. The following service establishments selected from the Standard Industrial Code, numbers 70 through 89, when all activities are conducted entirely within a building, except where excluded or limited below:

Services

70. Hotels, rooming houses, camps and other lodging places, except as listed below.
71. Personal services.
72. Business services.
73. Automotive services and parking.
74. Miscellaneous repair services.
75. Motion pictures.
76. Amusement and recreation services.
77. Health services.
78. Legal services.
79. Educational services.
80. Social Services.
81. Museums, art galleries, and botanical and zoological gardens.
82. Membership organizations.
83. Engineering, accounting, research, management and related services.
84. Private households.
85. Miscellaneous services.

The following businesses shall not be permitted:

a. Amusement arcades and Parks.
b. Tourist camps, cabins, guest houses or Recreational Vehicle Parks and Camps.
c. Automobile or heavy equipment repair.
d. Storage of goods, materials, equipment or personal effects.
e. Escort services.
f. Rooming and boarding houses.
g. Tattoo and massage parlors, except licensed massage therapists.
h. Any business which utilizes flammable liquids, or from which odor, noise, fumes or steam emanates and is detectable outside of the premises.
i. Any business which utilizes outside parking or storage overnight of any type of vehicle, equipment, Structure, supplies, appliances or devices.

10. If no Standard Industrial Code is assigned for a business, the Planning Advisor will assign a code of similar type business.

11. Communication Towers. As defined in Section IX.J.1.

B. Requirements and Limitations.

The following requirements and limitations shall apply to any Building or Land in this District, except where there is a conflict with the regulations of the Overlay District which in all cases shall supersede these requirements and limitations.

1. For Single Family Dwellings and Duplexes, the same as specified in Section IV.B for the R-2 District.

2. For all other uses:

    a. Maximum Building Height allowed: Thirty-five (35) feet above Established Grade. (see Section VIII.I)
    b. Maximum length of Building allowed parallel to and within one hundred fifty (150) feet of the right-of-way of any public Road or Street: three hundred (300) feet.
    c. Minimum dimensions:
        (1) Lot area: 17,000 square feet.
        (2) Lot Width: one hundred (100) feet.
        (3) Yard Requirements:
            Front - thirty (30) feet.
            Side - ten (10) feet.
            Rear - ten (10) feet.
        (4) Distance between Buildings: twenty (20) feet.
        (5) Corner Lots: See Section VIII.G.

3. Minimum Lot area for Multiple Family Dwellings of five (5) or more units: twenty thousand (20,000) square feet.

4. Buffer Areas: see Section VIII.F.

5. On-site parking shall be provided for all uses. (See section IX.)

6. Applicable provisions of all other Sections of these Regulations shall apply.

7. The provisions of the Overlay District shall also apply.

SECTION VI

R-4 RECREATIONAL DISTRICT

A. Uses Permitted.

In this District a Building or Land shall be used only for the following purposes:

1. Golf courses. (See Section I., Definitions.)

2. Parks and Playgrounds.

3. Accessory Building and uses customarily incident to the foregoing.

B. Requirements and Limitations.

The following requirements and limitations shall apply to any Building or Land in this District.

1. Accessory Structures may include bridges, storm shelters, rest stations, pump houses, playground equipment, picnic tables, maintenance equipment Buildings, clubhouses, pro-shops, lounges and restaurants. Restaurants and lounges shall be accessory only to private golf courses.

2. Structures shall not exceed two Stories in height. See Section VIII.I.

3. All Structures and Utility Yards shall be located a minimum of ten (10) feet from adjacent Property Lines on any side. All Utility Yards and refuse containers shall be concealed from public view by fencing or shrubbery. (See Buffer Areas, Section VIII.F.)

4. Adequate on-site parking spaces shall be provided for all uses. (See Section IX.)

5. Applicable provisions of all other Sections of these Regulations shall apply.

SECTION VII

R-5 UTILITY DISTRICT

A. Uses Permitted.

In R-5 Utility Districts only the following Structures and uses are permitted:

1. Structures required to provide these uses and essential public services described by the Standard Industrial Code:

   49. Electric, Gas, and Sanitary Services except 4953 Refuse Systems.

2. If no Standard Industrial Code is assigned for an essential public service, the Planning Advisor will assign a code of similar type essential public services.

B. Requirements and Limitations.

The following requirements and limitations shall apply to any Building or Land in this District.

1. Maximum Building or Structure Height allowed–two (2) Stories; thirty-five (35) feet above Established Grade. (See Section VIII.I.)

2. Yard Requirements:

   Front: fifty (50) feet
   Side and Rear: thirty (30) feet for a one Story Building
   Side and Rear: fifty (50) feet for a two Story Building

3. Fencing Requirements, see Section VIII.N.

4. Buffer Areas, see Section VIII.F.

5. On-site parking shall be provided for all uses. (See Section IX).

6. Lighting shall be directed onto the site, and shall not cause excessive spillover onto adjacent sites.

7. Noise shall be governed by the standards of St. Johns County Ordinance 88-37, as amended from time to time.

8. Applicable provisions of all other Sections of these Regulations shall apply.

SECTION VIII

GENERAL PROVISIONS

A. Limitations.

No Building or Structure shall be erected, reconstructed or structurally altered, nor shall any Building, Structure, Land or water be used for any purpose other than a use permitted in the District in which such Building, Structure, Land or water is located. No Building or Land shall be used so as to produce greater heights, smaller Yards or less unoccupied area than prescribed for such Building or Land of the District in which it is located. No Building shall be occupied by more families than prescribed for such Building of the District in which it is located. No Lot which is now or may be hereafter built upon as herein required, shall be so reduced in area that the Yards and open spaces will be smaller than prescribed by these Regulations, and no Yard, court or open space provided about any Building for the purpose of complying with the provisions hereof, shall be used as a Yard, court or other open space for any other Building.

B. Non-Conforming Structures, Uses and Lots.

Any Non-Conforming Structure, or Use existing on the date a particular requirement of the Regulations became effective may continue in existence (except as defined in Section X.G) and be maintained and repaired. Such Non-Conforming Structures or uses include, but are not limited to, those, which would otherwise be violations of the parking capacity and buffer requirements. A Non-Conforming Structure may be extended or enlarged without a Variance if the changes or modifications are in compliance with the requirements of these Regulations. A Non-Conforming Use shall not be enlarged, extended, or intensified, and if the use is discontinued for 365 days it shall not be restored. Construction on a Non-Conforming Lot shall be permitted without the need for a Variance provided all other requirements of these Regulations are met.

Any Structure that does not meet the requirements and limitations of these Regulations, and is not considered non-conforming, is in violation of these Regulations and shall not be extended or enlarged without a Variance except as described in the subparagraph below.

Because of the improved accuracy of survey equipment many older Structures are found to have minor intrusions into minimum yards. Administrative waivers for Errors in Yard Measurements may be processed and approved in accordance with LDC, Section 6.01.03.E.10.

C. Deed Covenants.

These Regulations shall not interfere with nor abrogate nor annul any easements, covenants or other agreements between parties, provided however, that if these Regulations impose a greater restriction upon the uses of Buildings and Land or require larger open space that is imposed or required by other rules or Regulations or by easements, covenants or agreements, the provisions of these Regulations shall govern.

D. Building Restriction Lines.

For Lots or parcels that are platted prior to January 1, 1998, the minimum Yard requirements will be determined by the Building Restriction Lines, if any, shown on the plat. For said Lots or parcels

not having Building Restriction Lines recorded on the applicable plat, the Yard requirements will be determined by Section III.B.1, Section III.B.7, Section IV.B.1-2, Section V.B.1-2 and Section VII.B.2, except for lots fronting the western side of Ponte Vedra Boulevard (County Road 203) between Miranda Rd. and Corona Rd.

Residential development of lots fronting the western side of Ponte Vedra Blvd. between Miranda Rd. and Corona Rd. shall measure a front yard setback from the western edge of the vacated thirty-four (34) feet of Ponte Vedra Boulevard vacated by the County under St. Johns County Resolution No. 2004-4 and not from the existing western right-of-way of Ponte Vedra Blvd.

Except for those parcels applicable to Section III.B.7 of this Code and not withstanding the Buffer requirements of Section VIII.F.10 of this Code, for ocean front Lots or parcels that do not have a platted oceanside Building Restriction Line: (a) said Lots or parcels south of the Sawgrass Planned Unit Development shall use the 1988 Coastal Construction Control Line as the oceanside Building Restriction Line; (b) said Lots or parcels north of the Ponte Vedra Inn and Club shall use a one hundred forty-five (145) foot line parallel to, and measured from, the easterly Road right-of-way boundary as an oceanside Building Restriction Line; (c) said Lots or parcels between the Sawgrass Planned Unit Development and the Ponte Vedra Inn and Club shall use a line extended between the closest oceanside Building Restriction Lines to the north and to the south as an oceanside Building Restriction Line. For the purposes of this regulation, south of the Sawgrass Planned Unit Development is defined as those areas south of the intersection of Sawgrass Drive East and Ponte Vedra Boulevard.

E. Development Plans.

1. Subdivisions.

   All subdivision of land shall be in accordance with the St. Johns County Comprehensive Plan and Article 5.00 of the Land Development Code. Furthermore, all Ocean Front Lots created by any Subdivision shall provide an ocean side Building Restriction Line.

2. Planned Unit Development (PUD) Districts.

   a. Any Land within the Ponte Vedra Zoning District may be included within a PUD, either wholly located within the District or joined with adjacent Lands outside the District. Unless otherwise prohibited, Uses allowed within PUDs shall be limited to those as permitted by the St. Johns County Comprehensive Plan.

   b. Applications for PUDs shall be submitted and reviewed in accordance with Article 5.03 of the St. Johns County Land Development Code. PUDs, or portions of PUDs, within the Ponte Vedra Zoning District shall be subject to the following provisions:

      (1) All applications for PUDs and modifications to existing PSDs and PUDs shall be in accordance with Article 5.03 of the Land Development Code, except that those functions performed by the Planning and Zoning Agency shall be performed by the PVZAB.

      (2) PUDs containing uses that are subject to the Overlay District shall comply with applicable provisions of the Overlay Districts. In such cases, the Master Development Plan Text shall provide that the proposed Development is subject to the Overlay District, and the Master Development Plan Map shall demonstrate compliance with all

Development Standards and Site Design Criteria as defined within Section VIII.Q.5.a and b of these regulations.

F. Buffer Areas.

Buffer areas are landscaped strips along parcel boundaries, which separate incompatible uses or serve as boundaries of parcels or uses and may serve as protective or safety barrier. They shall be provided as follows:

1. Buffer areas required shall be included in plans submitted for review. They may be located between the Building Restriction Lines and the Property Lines and shall not be located in an existing or dedicated public or private Street right-of-way. However, the continuation of buffer landscaping into the right-of-way, where feasible and permitted, is encouraged.

2. The design of buffer areas may utilize three features: (1) distance, (2) plant material and (3) structural elements, such as Walls or beams. One or more of these features shall be required depending on adjacent existing or zoned uses. They shall be continuous except for driveway and walk entrances and of prescribed height except within sight triangles at Street or Road intersections. See Subsection G, Corner Lots.

3. Plant material used for buffers shall be natural or landscaped, in either case creating a minimum sixty (60) percent visual screen at least five (5) feet in height above development Established Grade adjacent to the buffer, to be installed at the time of inspection and to be achieved within one (1) year of installation. The use of landscaped berms is encouraged. Walls shall be of appropriate design and no higher than six (6) feet above Established Grade, except as prescribed for Single-Family and Duplex residential use in paragraph 4. Adequate distance shall be maintained between the Structure and the exterior Property Line for plant material and access for its maintenance. The plant material may be natural or landscaped to create a softening effect on the Structure. All elements of buffer areas shall be maintained in good condition.

4. For Single-family and Duplex residential units, a well maintained Yard with the minimum Yard requirements shall be considered adequate buffer area. The maximum height of Fences and Walls shall be as prescribed in Subsection N.

5. For uses other than Single-family, Duplex residential, and uses permitted within the R-5 Utility District, a landscaped buffer shall be provided between Street or Road right-of-way lines and the development to soften the appearance of Structures and parking spaces from the Roads. The minimum buffer shall be ten (10) feet in depth. For projects located outside the Overlay District, where the Building set back distance is increased by more than ten (10) feet in excess of the required Building Restriction Line, the minimum height of the landscaped buffer may be reduced to three (3) feet and where increased by twenty (20) feet or more, well maintained landscaping alone may be considered adequate buffer.

6. For those uses permitted within the R-5 Utility District a landscaped buffer shall be provided continuously around the perimeter of the development, except for access ways, to soften the appearance of Structures, equipment and parking areas from adjacent properties. The minimum buffer shall be ten (10) feet in depth.

7. Where a residential use abuts a nonresidential use, or where a single-family residential use abuts a multi-family residential use, there shall be provided in the non-residential or multi-family

residential use along the abutting line a buffer area at least 10 feet in depth as prescribed in paragraphs 2 and 3.

8. For the Overlay District, Section Q.5 shall apply.

9. Non-conforming uses see Subsection B.

10. Upland buffers and setbacks as required by Article IV of the St. Johns County Land Development Code shall be required in the Ponte Vedra Zoning District. Development Projects that have been approved in writing by the St. Johns County Growth Management Services Department, which have an established buffer shall not require additional review.

11. For uses other than Single-family residential, a sight triangle is required when an access way intersects a public or private right-of-way. For safety reasons, no Structure or mature plantings exceeding two (2) feet in height above Street grade shall be permitted within a sight triangle drawn from the intersection of the access way and a sidewalk or the pavement of the right-of-way to a point thirty-five (35) feet along Arterial and Collector Roads and twenty-five (25) feet along all other Roads or Streets and with the two points connected. Permitted exceptions are trees with lower canopy height at least six (6) feet above Street grade and spaced so as not to substantially interrupt line of sight. Landscape islands at intersections or in access ways shall have the same restrictions as above. For all Corner Lots the sight triangle described above shall be drawn from the intersection of the Corner Property Lines.

G. Corner Lots.

Any Corner Lot shall have a Side Yard on the side Street equal in width to the minimum Front Yard requirement of any adjoining Lot fronting on the side Street except for previously platted Lots in the R-1-C and D single family residential Districts with widths sixty (60) feet or less, where the minimum Side Yard requirement on the side Street may be seven and one half (7 ½) feet. The minimum Side Yard requirement of a Corner Lot, otherwise defined above, shall not in any case be less than twenty (20) feet. Corner Lots with a BRL showing (2) two front yards shall be permitted interior yards to be considered side yards.

1. Interior Side Yards on Corner Lots

   On Corner Lots, the Side Yard is the Yard along any Interior Lot line which intersects with a Street Lot line. When a Corner Lot has four (4) sides, the two (2) sides not adjacent to the Streets are both Side Yards and the Lot has no Rear Yard. If the Corner Lot has more than four (4) sides, the Yards along Interior Lot lines which do not intersect with a Street Lot line shall be considered Rear Yards and must meet the district regulations for such Yards.

H. Ocean Front Lots.

For Lots having a Frontage on or facing the ocean, minimum Front and Rear Yard requirements shall be established as follows:

1. The provisions of Section VIII.D, Building Restriction Lines shall apply.

   a. The ocean-side minimum Yard requirement shall be measured from the Property Line parallel to and nearest the ocean using the minimum Front Yard requirement.

b. The Street side minimum Yard requirement shall be measured from the Street side Property Line using the minimum Rear Yard requirement.

For all other purposes the Street-side is considered the Front Yard.

I. Building and Land Heights.

1. Buildings.

   Except as otherwise provided in Section III.B.10-11, no Building shall exceed two (2) Stories in height, with a maximum Building Height of thirty-five (35) feet above the lowest point on the Established Grade at the perimeter of the main Structure. For the purposes of these Regulations, the following are all counted as Stories: a Crawl Space that averages six (6) feet or greater in height; Basement; Garage; Attic Story; and Story.The first Floor living area level must be at least eighteen (18) inches above the centerline of the Street abutting the Lot unless otherwise approved by the County Growth Management Department. Alternative Tower Structures, gables, spires or devices or Structures of a similar nature which are attached to or detached from the main Structure shall also have a maximum height of thirty-five (35) feet. See Subsection J, Towers and Antennae.

2. Land.

   Except as may be required by any other governmental agency having jurisdiction thereof, the maximum heights shall be as prescribed below. Run-off water shall be contained on the Lot or parcel of Land unless drained off in a manner consistent with applicable County ordinance, not withstanding those provisions set forth in Section 6.07.01.B of the Land Development Code

   a. Land Fill.

      Before a Building permit application is submitted to the County, no dirt, sand or other material may be rearranged or added to any Lot which will raise any point on the surface of the ground more than one (1) foot (no fill may be added to the upland buffer). In the event that fill is removed from west of the Coastal Construction Control Line to enhance the dunes east of the Coastal Construction Control Line, then an equal amount of fill may be brought in to replace the dirt added to the dune enhancement. A Lot grading permit is required as defined in the St. Johns County Land Development Code, as amended from time to time.

   b. Building Pad.

      (1) On Lots where Land Fill is added or dirt, sand or other material is rearranged to establish a Building Pad, with the exception of fill added for dune enhancement, the maximum allowable height of the pad shall not be greater than two (2) feet above the Integrated Average height of the undisturbed area bound by the front and rear Building Restriction Lines and the side Property Lines If the above Integrated Average is greater than (2) two feet above the centerline of the Street abutting the lot no additional height may be added.

      (2) On oceanfront Lots with dunes, the Building Pad may be the greater of the elevation defined by I.2.b.(1) above or the Building Pad defined as follows:

The maximum allowable height of the pad shall not be greater than the Integrated Average of the existing (undisturbed) area bound by the Coastal Construction Control Line on the east, the north and south Property Lines and the most westerly line of the proposed Dwelling.

c. Septic System.

Notwithstanding anything to the contrary in I.2.a or I.2.b above, fill may be placed on a Lot which exceeds the limitations in I.2.a and I.2.b for the sole purpose of establishing an elevated septic system if required by applicable Regulations. In no event shall the height of the established Building Pad be increased as a result of such additional fill.

d. Driveway Fill.

Fill may be added to a Lot or parcel to establish a driveway for reaching the Building Pad and to bridge low areas. The fill shall be restricted to a width of twenty (20) feet and shall not exceed four (4) feet above the existing (undisturbed) area. Adjacent to the Garage, fill may be added at the building pad height for a turnaround surface restricted to a width of thirty-six (36) feet.

e. All fill must be added in compliance with St. Johns County Land Development Code, as amended from time to time. A grading plan is required for any fill added to a Lot or parcel except fill placed for the Building Pad under authority of the Building permit issued. At a minimum, the Lot grading plan shall be drawn to a scale of one (1) inch equals twenty (20) feet or larger and shall include the following information:

(1) Property boundary lines;

(2) Existing drainage patterns on the site including points of entry of off-site drainage contributing areas, points of exit of stormwater runoff and if necessary, existing elevations and/or elevation contours;

(3) Proposed limits of filling and grading of the site including fill depth, slopes, finished floor elevations, and if necessary, final elevations and/or elevation contours of the site;

(4) Location of swales and drains to convey stormwater runoff from the site and any of-site contributing drainage areas to an appropriate point of disposal without unreasonably impacting adjacent and downstream properties;

(5) Any other pertinent information as may be required by the Growth Management Department as appropriate for responsible evaluation of the grading plan.

In addition, the Lot grading plan shall demonstrate that the fill will not block natural flow of stormwater runoff from adjacent properties. No fill may be added to the upland buffer. Any additional stormwater runoff shall be directed to the roadway drainage system or other approved drainage facility.

J. Towers and Antennae.

All line-of-sight dish type and all satellite receiving or transmitting Antennae over one (1) meter in diameter, regardless of size, shape, configuration, height or location within the Ponte Vedra Zoning

District are permitted only if such Antennae are placed in locations where they cannot be viewed at eye level from adjoining property or public property. Eye level shall be construed to mean visible to a person six feet tall standing at ground level.

1. Communication Towers.

   There is hereby adopted and incorporated herein by reference Sections 2.03.26 and 6.08.12 of the St. Johns Land Development Code as amended from time to time. Communication Towers shall be permitted by Use Variance (see Section XII.I.3) only in the Commercial District (R-3).

2. Antennae.

   Any other provision of this Ordinance not withstanding, any amateur radio Antennae as described in Florida Statute 125.561 and used solely for amateur radio operators, shall be permitted when required by that Statute.

K. Attached Structures.

Structures such as Garages, porches, verandas, balconies, bay windows, storage or equipment rooms or steps with a height of more than three (3) feet, shall be considered a part of the main Building in determining the front, back and side Walls of the main Building to establish its set back lines. Roofs and eaves shall not extend more than three (3) three feet beyond any Building Restriction Line in the R-1-A and R-1-B districts and no more than (2 ½) two and one-half feet in the R-1-C and R-1-D districts.

L. Accessory Structures.

Limitations on accessory Structures vary according to their location on the Building Lot. See Section I, Definitions for Accessory Use or Building, Structure and Yard, Utility.

1. Structures such as detached guesthouses, Garages, storage Buildings, patios or decks higher than three (3) feet above Established Grade, porches, verandas, gazebos, screening or covered swimming pool enclosures and similar incidental Structures shall be located within Building Restrictions Lines and are subject to the same height limitations as the permitted Structure. Storage Structures shall be placed in such a manner on the Lot that the Structure cannot be viewed from the Front Property Line, either due to distance or by being fully screened with opaque fencing or landscape. Storage Buildings are not permitted forward of the main residential Building.

2. Structures and equipment located in any of the Front, Rear and Side Yards shall be no higher than three (3) feet above Established Grade and shall be no closer than ten (10) feet (seven and one half (7 ½) feet for R-1-C, D, R-2 and R-3 Districts) from any Property Line except as follows:

   a. Fences and Walls, as prescribed in Subsection N, lagoon bulkheads, retaining walls and beach/dune walkways.

   b. Location exceptions are (i) heat/air and pool equipment and enclosed trash receptacles, which may be located in Side Yards away from a Street, no closer than one-half the minimum Side Yard distance from the Property Line, (ii) ground level surfacing, such as

walks, patios and pool decks, which may extend to Property Lines. Driveways and parking surfaces shall be as required in Article VI of the St. Johns County Land Development Code, Design Standards and Improvement Requirements. Existing driveways may be repaired or resurfaced, including removal of the existing surface materials and substitution to a different surfacing material, within the existing location of the driveway. See Subsection M, Maximum Lot Coverage; and (iii) beach/dune walkways (See Section VIII.L.4 below) which are allowed in the ocean-side minimum Yard, but not closer than forty (40) feet from the side Property Lines in property zoned R-1-A and twenty-five (25) feet from the side Property Lines in property zoned R-1-B.

c. Height exceptions are (i) flag poles and bird houses on poles, which shall have a maximum height of thirty-five (35) feet and (ii) children's swing, climbing or slide sets, pool slides and Structures of a similar nature, which shall have a maximum height of nine (9) feet and shall not be located in the Front Yard.

d. Permanent basketball goals and portable basketball units are permitted in any Front, Side or Rear Yard subject to the following provisions:

(1) No portion of the basketball structure shall be closer than five (5) feet from the any lot line.

(2) No portion of the basketball structure shall be located less than twenty (20) feet from the street edge of any Local Roadway or forty (40) feet from the street edge of any Minor or Major Collector, as such roadways are classified by Article XII of the Land Development Code. The street edge shall be defined as the line between the street pavement or curb and the front edge of the driveway.

(3) Permanently installed basketball goals and backboards shall be mounted on a single pole, or on the garage face. No portion of the structure shall exceed fourteen (14) feet in height. Where a basketball goal is mounted on a pole, the components of the structure shall be clear acrylic/Plexiglas, white, black, gray or silver in color. If a wooden pole is used, the natural wooden color may be maintained.

(4) No portion of the basketball structure shall be located where, in the determination of the County Administrator, any interference with traffic or safety hazard may be created. Basketball goals shall be maintained in a good state of repair so as not to create a visual nuisance.

(5) Portable basketball structures shall also be subject to the provisions of Section 2.02.04.B.14 of the St. Johns County Land Development Code.

e. Private athletic courts and recreation fields
A permanently installed athletic court or recreation field, which is used by the residents of the primary Structure and nonpaying guests, shall be allowed in the residential zoning districts subject to the following restrictions:

(1) A permanently installed court/field may occupy the interior Side and Rear Yards but shall not occupy the required Front Yards except for Ocean and Through Lots, where permanent courts shall be allowed within the Front Yard which functions as a Rear Yard, providing the court is screened from the public street or waterway by a fence, wall, or hedge and located a minimum of twenty (20) feet from the Property line.

(2) Permanently installed courts/fields shall be enclosed with a fence not less than four feet or more than the maximum fence height specified in Section VIII.N, equipped with self-closing and self-latching gates.

(3) Activities and lighting on permanently installed courts shall only be used between the hours of 9am to 9 pm.

3. With the exception of Fences, Walls and beach/dune walkway Structures, construction of accessory Structures shall not commence prior to the start of construction of the main Building and such Structures are not permitted on vacant Lots or parcels of Land.

4. Beach/Dune Walkways.

   a. General Design.

      The design shall be in compliance with the Florida Department of Environmental Protection (DEP) Guidelines dated November 1996, as amended from time to time. Only one beach/dune walkway is allowed for each oceanfront residence. The maximum distance between the dune and the walkway decking upper surface shall not exceed thirty (30) inches unless requested by DEP or approved by the Planning Advisor because of exceptional topographic conditions. The handrail, if constructed, shall not exceed three (3) feet above the walkway. The walkway shall not exceed four (4) feet in width and no covered area shall be allowed and no sitting or standing area outside of the four (4) feet width shall be allowed.

   b. Location.

      In the ocean-side Yard (see Section VIII.H above), the walkway shall be constructed perpendicular to the shoreline and may extend easterly to the seaward side of the dune or vegetation line but not further than ten (10) feet seaward side of the dune or vegetation line. The walkway shall be no closer than forty (40) feet from the side Property lines in property zoned R-1-A and twenty-five (25) feet in property zoned R-1-B unless requested in writing by DEP.

      The following location exceptions shall apply:

      (1) Should adjacent property owners wish to build one (1) shared four (4) foot walkway, then the walkway may be built on the Property Line.

      (2) If a private beach access easement has existed prior to October 8, 1990, a walkway and stairs may be constructed on the easement if the following conditions are met:

         (a) Unless the easement agreement specifies a walkway, the underlying property owner(s) where the easement is located must agree.

         (b) The walkway and/or stairs are required because of environmental or safety reasons.

         (c) The access easement only serves Building Lots within two thousand five hundred (2,500) feet of the easement.

(d) Ground surface walkways shall be used unless an elevated walkway is required in writing by DEP.

c. Permits and Reviews.

Plans for walkovers require a review by the Planning Advisor (See Subsection XI.C), and any walkover east of the Coastal Construction Control Line requires a DEP permit.

d. Public Beach Access.

The above designs and locations do not apply to public beach access walkways.

M. Maximum Lot Coverage.

To reduce run-off and preserve open area, the coverage of any Lot or plot of Land by Structures and impervious surface shall be no more than the following percentages of the gross Lot or plot area for the uses shown.

Maximum Impervious Surface Per Use	Percentage
Single Family and Duplex residential*	40 %
Multiple Family residential	65%
Existing commercial along A1A	75%
Overlay District	65%
Other Commercial/office, including gas stations, restaurants, marinas and retail uses	70%
R-5 Utility District (any uses permitted within the district)	70%
Hotels, Motels, private clubs	75%
Other uses permitted including Parks, Playgrounds, golf Courses, schools, public Buildings and churches	40%
Mixed Uses	By proportion of use

*For residential lots with an area of 8000 square feet or less, an additional four percent (4%) of Impervious Surface is allowed exclusively for swimming pools.

N. Fences and Walls.

1. In all Districts, unless otherwise provided, Fences or Walls, outside Building Restriction Lines shall have a maximum height of four (4) feet with posts/columns, gates, lights, etc. up to six (6) feet in height except:

a. On rear and front Lot lines which coincide with the right-of-way line of State Road A1A, except for those properties described in paragraph d below, the maximum height may be six (6) feet with posts/columns, gates, lights, etc. up to eight (8) feet;

b. In the R-1-C and R-1-D Zoning Districts, the maximum height may be six (6) feet in the Rear and Side Yard;

c. For property adjacent to a borrow pit, the maximum height may be six (6) feet;

d. In the R-1-A and R-1-B Zoning District south of the Sawgrass Planned Unit Development boundary line, along County Road 203 and State Road A1A, the maximum height may be six (6) feet and the maximum height of any posts/columns, gates, lights, etc. may be eight (8) feet. For the purposes of this regulation, south of the Sawgrass Planned Unit Development is defined as those areas south of the intersection of Sawgrass Drive East and Ponte Vedra Boulevard.

e. In the R-2 and R-3 Zoning Districts, Fences may be placed only in the Rear and Side Yard with a maximum height of six (6) feet and a maximum height of any posts/columns, gates, lights, etc. of eight (8) feet.

f. In the R-2 and R-3 Zoning Districts, eight (8) foot fence shall be required around on site dumpsters.

g. In the R-5 Zoning District, for reasons of public safety, a continuous fence of eight (8) feet in height shall separate the equipment and machinery within from access by the general public. All access gates through the fence shall be eight (8) feet in height and shall be secured in such a manner that prohibits unauthorized entrance by the general public. For those services categorized in SIC numbers 4911 and 4931 (electric services and electric and other services combined), said fences and gates above shall be composed of six (6) feet of chain-link fence topped by two (2) feet of barbed wire or razor wire fence. This regulation shall not be interpreted as to require a fence around the entire perimeter of the property within the R-5 Zoning District, but instead to separate the potentially hazardous areas of Uses within from access by the general public.

h. The height shall be measured from the Established Grade on the exterior side of the Fence or Wall. They are permitted anywhere on the Lot except as prohibited on Corner Lots, Subsection G.

i. No fence or wall that impedes the drainage flow may be located in a drainage easement.

2. Retaining Walls.

Maximum height of a retaining Wall on a Lot or parcel is four (4) feet. A minimum of forty (40) feet shall separate retaining Walls designed to add cumulative height. Retaining walls must be permitted according to the Florida Building Code.

O. Lagoon Bulkheads and Docks.

The height of bulkheads shall be established so as to insure compatibility of finished ground elevations with and to avoid increasing run-off onto adjacent property. The following regulations shall apply:

a. Lagoon Bulkheads shall require a building permit according to the regulations in the Florida Building Code.

b. The Lagoon Bulkhead shall be located within property boundaries.

c. The maximum height of the Bulkhead shall be (4) four feet as measured from the mean high water line of the Lagoon.

d. Bulkheads may be erected in the required upland buffer area.

e. Lagoon Bulkheads and docks shall be required to have written authorization from the applicable State agency unless exempted.

P. Swimming Pools/Spas.

The waters edge shall be no closer than ten (10) feet (seven and one-half (7 ½) feet for R-1-C and R-1-D Districts) from any Property Line. Pool/Spa protection shall be provided in compliance with the Florida Building Code and the St. Johns County Land Development Code. The pool/spa and associated decking may not be located in an upland buffer.

Q. Ponte Vedra Overlay District.

1. Purpose and Intent.

   The purpose and intent of establishing this Overlay District is to enhance property development along specific roadways within the Ponte Vedra Zoning District (the "Ponte Vedra Coastal Corridor") and achieve specific goals and objectives of the St. Johns County Comprehensive Plan. Objectives to be attained through the establishment of this Overlay District include protection of adjacent residential uses; reduction of visual distraction through uniform Sign criteria; enhancement of physical appearance through increased landscaping of public and private property; clustering of complementary uses throughout the various locations along the Ponte Vedra Coastal Corridor; provision of architectural design guidelines within specific locations along the Ponte Vedra Coastal Corridor; encouraging pedestrian facilities; and enhancing the appearance of development through landscaping. These goals shall be accomplished through the establishment of special development standards for the Overlay District and the review of the impact upon the safe use of these roadways; the location, character, compatibility and appearance of all proposed commercial and multi-family Land uses; and the compliance with the standards, criteria, and application requirements of this Section. The review shall be performed with the goal of determining whether a proposed plan of development meets the goals, objectives and policies set forth in the Comprehensive Plan and the standards and criteria of this Section.

2. Delineation of the Overlay District.

   The Ponte Vedra Overlay District (alternatively the "Overlay District"), delineated herein, is a special District in the form of an overlay superimposed upon the various zoning Districts. This Overlay District encompasses all that Land situated within six hundred (600) feet of the outer edges of the right-of-way of these listed roadways located within the District.

   a. State Road A1A North, from the southern boundary of the Ponte Vedra Zoning District of Mickler Road; and
   b. Ponte Vedra Boulevard (County Road 203) from Mickler Road to the Duval-St. Johns County line; and
   c. Executive Way; and
   d. Corona Road; and
   e. Solana Road, from the western boundary of the Ponte Vedra Zoning District to Ponte Vedra Boulevard (County Road 203); and
   f. San Juan Drive; and
   g. State Road A1A North from Mosquito Control Road to the Duval-St. Johns County line.

In such cases where a proposed development parcel extends beyond six hundred (600) feet from the outer edges of the right-of-way, the entire parcel shall be subject to the Overlay District. In no case shall this Overlay District apply to property lying outside of the District. Measurements from the right-of-way will be made generally in a perpendicular direction from the right-of-way line and, where there is curvature, perpendicular to the chord of such curvature.

3. Standards and Criteria Applying to the Overlay District.

   Applicable standards and criteria prescribed in this Section shall apply to uses defined in Section IV, R-2 Multi-family Residential Districts, Section V, R-3 Commercial Districts and any PSD or PUD (including non-conforming uses which are located in the Overlay District), excluding single family uses. Furthermore, the applicable standards and criteria shall apply to: (a) new projects; (b) certain exterior additions, remodeling and renovations to existing structures; and (c) certain changes to landscaping, buffers, signage and parking lots.

   Exterior remodeling and renovation shall be defined as any activity that requires a County Building Permit, and also the re-painting of any structure to a color other than the existing color, as well as to construction or alteration of fences and decks. These regulations shall apply to only that portion being added, remodeled, renovated or changed.

   Landscaping, buffers, signage, parking lots and structures may be maintained and repaired, buildings re-painted using the same colors, and roofs repaired and replaced with the same materials and colors, without a review by the Architectural Review Committee (ARC).

   The provisions of Section VIII.B. Non-Conforming Structures, Uses and Lots shall apply.

4. Application of District Regulations.

   a. Permitted Uses.

      The uses for the property contained within the Overlay District shall be as prescribed in the various zoning Districts underlying the Overlay District, except where such use or site design is not permitted by the St. Johns County Comprehensive Plan, as may be amended from time to time.

   b. Rezoning.

      Where a Rezoning is proposed, the applicant must demonstrate that the application complies with the reasonable procedural requirements of applicable County ordinances, and further, that the proposed use complies with the stated Intent of the St. Johns County Comprehensive Plan, which is to “provide for the orderly growth of the St. Johns County, Florida, and to exercise the authority and perform the duties set forth in Sections 163.3161-163.3215, Florida Statutes”. The proposed Rezoning must as well be shown to comply with all applicable provisions contained within the St. Johns County Comprehensive Plan.

      Upon establishment of compliance with the procedural requirements and with the Comprehensive Plan, the Rezoning request may be denied if it is established by evidence that the proposed use is incompatible with surrounding uses to an unreasonable degree.

Compatibility shall be determined by consideration of the effect of the following factors, as well as others, which may be appropriate, upon surrounding uses.

(1) Separation and buffering between adjacent uses.

(2) The safe use of the Overlay District Roadways.

(3) The visual and aesthetic enhancement of the Ponte Vedra Coastal Corridor.

(4) Adverse impacts to the natural environment.

(5) Adverse impacts to surrounding properties.

(6) The degree to which the proposed use is complementary and supportive of surrounding uses.

For the purposes of the Overlay District, surrounding uses shall be defined as those which adjoin any property boundary of proposed development which is regulated under the conditions of the Overlay District, and in addition, any use which is located within six hundred (600) feet of any property boundary of said proposed development, but located on the same side of an Overlay District Delineated Roadway. Any approval or denial of a Rezoning application must as well be in compliance with requirements of applicable State and Federal law.

c. Exemptions.

The following activities shall be exempt from ARC review.

(1) Repainting of Structures in existing colors provided that existing colors are otherwise in compliance with these Regulations.

(2) Additions to the rear of a Structure not exceeding two-hundred and fifty (250) square feet which are of similar architectural style as the existing structure, and consist of like exterior finishes and colors including window and doors, provided any such addition is otherwise in compliance with these Regulations.

(3) Replacement of roofing with like roofing materials.

(4) Replacement of existing porches, patio overhangs, porte cocheres or carports which are replaced in a similar style as the existing Structure or main portion of the existing Structure and consist of like exterior finishes and colors, provided the replacement is otherwise in compliance with these Regulations.

(5) Replacement of existing landscaping with like landscaping material or replacement of landscaping consistent with a previously approved Landscape Plan provided replacement is otherwise in compliance with these Regulations.

(6) Non-substantive changes, which shall be defined as those changes that do not alter the character, design or commonly observed appearance of a site or Structure.

5. Development Standards and Criteria.

a. Development Standards.

(1) Flat roof lines, or the appearance of flat roof lines are not permitted.

(2) Work areas or storage doors and open bays shall not open toward, face or otherwise be visible from an Overlay District Delineated Roadway.

(3) Building Heights shall be limited to two (2) Stories and thirty-five (35) feet, except that the maximum Building Height shall be twenty-five (25) feet where a Building is located less than one hundred and fifty (150) feet from a residentially zoned property, and no greater than one Story when located less than fifty (50) feet from residentially zoned property. A mechanical room and/or a non-habitable storage room shall be allowed in the Attic. A mezzanine or loft shall be considered a Story.

(4) Heating, ventilation and air conditioning equipment, duct work, air compressors, and other fixed operating machinery shall be either screened from view with Fencing or vegetation, or located so that such items are not visible from any Overlay District Delineated Roadway, adjacent residential properties or intersecting Streets. Trash receptacles, dumpsters, utility meters, above-ground tanks, satellite dishes, Antennae, and other such Structures shall be similarly treated.

(5) Satellite dishes shall be subject to Section VIII.J of these Regulations.

(6) No temporary Structures shall be permitted, except for those used in conjunction with construction projects and special community events, and for which, applicable permits have been obtained. Office type mobile units when used as such temporary facilities shall be equipped with rigid skirting on all sides. Any towing gear shall be removed, and if not removable, shall be screened with landscaping.

(7) Chain link, barbed wire and similar Fencing shall not be permitted in any required Front Yard, and where such Fencing can be viewed from any roadway. Landscaping and/or berm shall be provided to prohibit visibility from any Overlay District Delineated Roadway.

(8) Exterior lighting for safety and security shall be kept to a minimum consistent with reasonable safety requirements of the particular business or Structure. Safety and security lights, other than low-wattage lights or ground-area lights, shall not be visible from adjacent residential properties.

(9) The maximum amount of impervious surface coverage of any site proposed for development, excluding any jurisdictional wetlands and pervious parking areas, shall not exceed sixty-five (65) percent.

(10) Commercial uses shall have a maximum Gross Floor Area (GFA) of ten thousand (10,000) square feet per acre, excluding any jurisdictional wetlands.

(11) The maximum length of Buildings parallel, or within 45 degrees of parallel to any Overlay District Delineated Roadway shall be one hundred twenty (120) feet.

b. Site Design Criteria.

(1) Minimum Yard Requirements.

(a) Front along State Road A1A North right-of-way: forty (40) feet for a one-Story Building; sixty (60) feet for a two-Story Building.

(b) Front along any other collector or local roadway and private or roadway easements: thirty (30) feet for one-Story Building; fifty (50) feet for a two-Story Building.

(c) Side: twenty (20) feet.

(d) Rear: ten (10) feet if adjoining rear of existing commercial.

(e) For Buildings proposed on sites which adjoin an existing residential land use or residentially-zoned Lands, the minimum adjoining Yard requirement (whether it be a Side or Rear Yard, or both) is thirty (30) feet for a one Story Building. For a two Story Building, the minimum adjoining Yard requirement (whether it be a Side or Rear Yard, or both) is fifty (50) feet.

(f) Required separation: minimum twenty (20) feet between Buildings.

(g) Accessory Uses and Structures shall not be visible from the highway, and shall be a minimum distance of ten (10) feet from the side and rear landscape buffers and shall not exceed seven (7) feet in height. Accessory Uses and Structures are not permitted forward of any Building.

(2) Buffers.

Buffers may be placed within required Yards. Buffers shall, where reasonably possible, contain native vegetation existing on the site proposed for development. Where native vegetation does not exist or cannot reasonably be retained, buffers shall be landscaped in accordance with appropriate Screening Standards, as defined in Section 6.06.04.B of the Land Development Code. The Architectural Review Committee may require utilization of particular plant species where a pattern of vegetation has been established or where such species are determined to be desirable, and shall be provided as follows:

(a) Minimum twenty (20) foot buffer from any Overlay District Delineated Roadway right-of-way.
(b) Minimum ten (10) foot buffer from side property boundaries. Side Yard buffers shall begin not more than fifty (50) feet from any Overlay District Delineated Roadway right-of-way.

(c) Minimum ten (10) foot buffer from rear property boundaries.

(d) Where a one (1) Story Building is to be constructed within sixty (60) feet of residentially zoned property, or where a two (2) Story Building is to be constructed within one hundred (100) feet of residentially-zoned property, an eight (8) foot high masonry Wall shall be provided and maintained between the Building and the residentially-zoned property, or alternatively, landscaping which provides one hundred (100) percent opacity shall be provided and maintained.

(3) Parking. All parking shall be governed as set forth in Section IX of these Regulations.

(4) Space Required Between Parking Area and Building.

A minimum distance of eight (8) feet will be maintained between any Building and its parking area. This space is to be reserved for walkways and vegetation. Within this eight (8) feet wide distance, a minimum three (3) feet wide strip for vegetation is required. No such space is required at the rear of the Building, unless there is an adjoining residential use.

c. Signage: Sizes Permitted.

All Signage, including new, replacement or modified existing Signs, shall be governed as set forth in Section X of these Regulations except as noted below.

(1) Ground Signs shall be limited in size to sixty (60) square feet per face for shopping/office centers that occupy more than 5 acres.

(2) The tops of Signs shall be not more than twelve (12) feet above the adjacent highway grade or eight (8) feet above site grade.

d. Architectural Design Standards.

The pleasing and compatible relationship of architecture along Roads in the Overlay District is of important public concern. The architectural design of Structures and their materials and colors must be visually harmonious with the overall appearance, history and cultural heritage of Ponte Vedra, and also with natural Land forms and existing vegetation. Compatibility with existing adjacent Structures and other approved development plans must also be considered.

The intent of these standards is not to restrain diversity or innovative architecture, but to reduce incompatible and adverse impacts, and to insure an aesthetically pleasing environment. To accomplish this, the following standards shall apply to the review of proposed Buildings, renovations and related site improvements.

(1) Proposed development shall be located and configured in a visually complementary manner with the existing terrain and vegetation of the parcel and surrounding parcels. Structures shall obstruct as little as reasonably practical scenic views from the main Road or from existing Structures and the natural environment. Structures shall not dominate, in an incompatible manner, any general development or adjacent Building which is substantially in compliance with this Ordinance. This may be accomplished by the use of architectural features and/or siting of proposed Structures to reduce the appearance of excessive and inappropriate height or mass of proposed Structures.

(2) The proposed Building or Structure shall be of such design that is contributes to the image of the Ponte Vedra Coastal Corridor as a place of beauty, spaciousness and high quality.

(3) The proposed Building or Structure shall not, in its exterior design and appearance, be of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance or value.

(4) Where a single Building, or group of related Buildings contains more than one (1) store or business front, all Wall Signs shall be of similar style and shall be compatible and uniform in terms of size, color and any lighting. Any back- lighting or appearance of lighting shall be white in color.

(5) The color and materials of Signs shall be compatible with the architectural style, color and materials of the related commercial or multi-Family Building.

(6) New Ground Signs and alterations to existing Ground Signs requiring an ARC review shall be externally illuminated.

e. Design Elements and Materials

The following specific design criteria shall apply to development regulated under the conditions of the Overlay District.

(1) Flat roofs, or the appearance of flat roofs, shall not be permitted. Pitched roofs, or the appearance of pitched roofs are required.

(2) Long monotonous façade designs including, but not limited to, those characterized by unrelieved repetition of shape or form or design elements, or by unbroken extension of line shall be avoided.

(3) Architectural grade shingles, metal standing seam, tile or other non-reflective roof materials with similar nature-blending texture and appearance shall be considered appropriate.

(4) Stucco, tabby, wood siding or wood shingle siding, brick or other materials with similar texture and appearance shall be considered appropriate.

(5) Exterior colors of paints and stains shall be Earth Tones with no more than three colors per Building, excluding roof color. Semi-transparent stains are recommended for application on natural wood finishes. All exterior color hues shall be subdued, consistent and compatible with those on existing adjacent properties as well as those throughout the Ponte Vedra Coastal Corridor.

(6) Roof and exterior Wall surfaces, with the exception of glass doors and windows shall be non-reflective. Any glass coating shall not reflect outward and shall be limited in color to gray or green. No more than forty (40) percent of the façade facing an Overlay District Delineated Roadway shall be glass or reflective material.

(7) The location and dimensions of Wall Signs shall maintain compatibility with architectural materials, finishes and features of the Building. Wall signs shall be directly mounted on the surface of the building and shall not be mounted on raceways or other such protrusions from the surface of the building.

(8) The Architectural Review Committee may require utilization of particular landscape and plant species where a pattern of vegetation has been established or where such species are determined to be desirable.

(9) Architectural lighting shall be recessed under roof overhangs or generated from a concealed light source or low level light fixtures. Site lighting shall be of low intensity, shall be of white light which does not distort colors and shall not spill over into adjoining properties, roadways or in any way interfere with the vision of oncoming motorists.

6. Administrative Requirements.

The following requirements shall apply to all projects and provisions defined in Section Q.3 and to all proposed development subsequent to any Rezoning as provided for in Section Q.4.b of this Overlay District.

For those projects subject to ARC review that do not require a County Building Permit, a Minor ARC Review shall be allowed. For those projects subject to ARC review that do require a County Building Permit, a Regular ARC Review shall be required.

a. Functions.

Notwithstanding applicable procedures as established by Section XI of the Ponte Vedra District Regulations, the Ponte Vedra Zoning and Adjustment Board, and the Board of County Commissioners as appropriate, shall direct the following functions to determine compliance with the Overlay District regulations:

(1) The St. Johns County Board of County Commissioners shall establish by appointment an Architectural Review Committee (ARC). The same ARC that serves the Ponte Vedra Overlay District shall serve the Ponte Vedra/Palm Valley Coastal Corridor Overlay District as established by Part 3.06 of the Land Development Code. The ARC shall establish and adopt operating procedures, which shall be in compliance with all applicable St. Johns County Ordinances and State and Federal laws.

(2) The ARC shall consist of five (5) members, and two (2) alternates, three (3) of whom possess through professional training or experience, competence in the fields of architecture, design, planning, landscape architecture or other relevant expertise. At least two (2) members shall reside within the Ponte Vedra Zoning District, and the PVZAB may recommend these appointments to the Board of County Commissioners. At least (2) members shall reside within District 4, but outside of the Ponte Vedra Zoning District, and at least one (1) member shall be a registered architect in the State of Florida, or a retired architect formerly registered in the State of Florida.

(3) The ARC shall be charged with determining compliance with the Development Standards and Criteria of Section Q.5.d Architectural Design Standards and Section Q.5.e, Design Elements and Materials.

(4) The members of the Architectural Review Committee shall serve terms of four (4) years.

(5) The ARC shall meet as needed at the request of the County Administrator or his designee in order to fulfill their functions in a timely manner. Reasonable public notice shall be provided for all meetings of the ARC, and all meetings shall be open to the public. The ARC shall keep minutes of its proceedings and other official actions. A majority vote shall be required in order to provide an affirmative determination of compliance with Section Q.5.

b. Application and Permitting Requirements.

(1) The ARC shall with the assistance of the St. Johns County Planning Division develop submittal requirements and review procedures in accordance with Section Q.5 to determine compliance with this Section. Such procedures shall be adopted by Resolution of the PVZAB and may be amended from time to time as appropriate. Pursuant to this adopted process, the ARC shall in a timely manner, provide a written determination to the applicant that the development complies, complies with conditions or does not comply with Section Q.5.d and e of the Overlay District.

(2) The applicant must provide such written determination of compliance in order to obtain Land clearing permits, any permit authorizing construction or any other Development Order as defined in Part II of Chapter 163, Florida Statutes.

(3) In the case of proposed Rezonings and applicable major or minor modifications, the applicant must provide written determination that the proposed development complies with Section Q.5 of the Overlay District. Such determination, inclusive of that information required prior to any Rezoning as specified in Section Q.5 shall be presented concurrently with the zoning request at the regularly monthly meeting as established by Section XII.B.5 of these Regulations.

c. Vested Rights Determinations and Appeals.

(1) As an alternative to a determination that a proposed development complies with the standards contained herein, the applicant may demonstrate to the PVZAB, that vested rights to proceed with the proposed construction or development has been legally established, and/or demonstrate that the County is equitably estopped from applying this Ordinance to the subject construction or development. Upon a determination of estoppel or vested rights by the PVZAB, the provisions of this Ordinance in conflict with such rights shall not be applied to the applicant. The legal requisites for such determinations and burdens of proof therefore shall be those provided by applicable Federal and State law.

(2) A PSD/PUD may be expanded, without vested rights or estoppel determination, if the proposed addition(s) adjoins the existing PSD/PUD. The more restrictive standards and criteria of the existing PSD/PUD or the Overlay District shall apply to the expansion.

(3) Any affected or aggrieved person may appeal a determination of the Architectural Review Committee to the PVZAB, and any decision of the PVZAB to the Board of County Commissioners, made under the authority of this Ordinance, by filing such appeal in writing with the Planning Division within thirty (30) days of such determination.

d. Variances.

An Applicant may apply to the PVZAB for, and be granted or denied, a Variance from one or more standards of the Overlay District. Any such request shall be resolved utilizing the same procedures and criteria as applications for Variances from other standards as established by Section XII of these Regulations.

R. Private Roadways and Road Access Easements.

1. All private roadways and easements for ingress and egress shall comply with the St. Johns County Land Development Code as amended from time to time.

2. The minimum width of an access easement is thirty (30) feet and only forty (40) percent of the easement may be used for Lot size and density calculations.

3. The minimum Yard requirement shall be measured from the private roadway right-of-way or the easement line.

S. Prohibited Uses.

The following shall not be permitted within the District.

1. Leasing or renting for compensation of individual room or rooms within any Single Family Dwelling unit.

2. Houseboats fastened to a Dock or anchored to Land or remaining in any waterway.

3. House trailers or permanent tents, or ocean fishing piers placed on any Yard, Lot or other parcel of Land.

4. Construction offices, portable storage Structures, or storage trailers on any Yard, Lot or parcel of Land except during active construction work. Portable storage Structures and storage trailers shall be removed during periods of reduced or suspended construction activity exceeding 180 days. Loading and unloading of portable storage Structures shall be limited to a maximum of seven days for non-construction sites.

5. Debris and unusable or excess Building material or soil on Building sites or unsightly conditions in public view during periods of reduced or suspended construction activity. Hazardous material must be removed and unsanitary conditions eliminated during periods of reduced or suspended construction activity.

6. Horses, ponies, cattle, swine, sheep, goats, poultry, wild animals or reptiles whether kept, raised or maintained.

7. Refuse, recycling, and yard waste containers, including plastic bags, not concealed from view of any person upon any Street or public sidewalk, except for 24 hours before scheduled day of pickup.

8. Sources of excessive noise as regulated by St. Johns County Ordinance 88-37 as may be amended from time to time, fumes, odors, dust, dirt or vibrations.

9. Uses not included under Uses Permitted in the various Zoning Districts.

10. Except during the time necessary for pickup and delivery service, not to exceed twenty-four (24) continuous hours, commercial vehicles, utility trailers or Recreational Vehicles, shall not be parked or allowed to occupy any Land, unless same are enclosed in a Garage, carport or other parking area fully screened from view from adjacent areas. This prohibition applies to paragraph III.A, paragraph IV.A.1.a and paragraph IV.A.1.b of these Regulations.

11. Display of vehicles for sale or the selling of any products or services along any Road.

T. Lift Stations.

Sewage lift stations may be added in any Zoning District but must be screened according to Section VIII.N of the Regulations.

U. Tree Protections

1. Purpose and Intent.

   The provisions of this Section are established for the protection and preservation of oak, hickory, magnolia and other Protected Trees on residential lots in the Ponte Vedra Zoning District.

2. Applicability.

   All existing, proposed and reconfigured residential lots within the Ponte Vedra Zoning District shall be subject to the provisions of this Section.

3. Relationship to Land Development Regulations.

   The provisions of this Section of the Ponte Vedra Zoning Regulations shall be in addition to Article IV, St. Johns County Land Development Code, and applicable solely to existing, proposed or reconfigured residential lots within the Ponte Vedra Zoning District. In the case of any conflict between this Section and Article IV, Land Development Code, the provisions of this Section shall prevail. Terms not otherwise defined herein shall have the same definition as given under Article IV and Article XII, Land Development Code.

4. Protected Tree Removal Permit.

   a. Permits required. No person shall, directly or indirectly, cut down, destroy, remove, or effectively destroy by damaging, any Protected Tree on existing, proposed or reconfigured residential lots in the Ponte Vedra Zoning District without first obtaining Site Plan approval and a Protected Tree Removal Permit, as provided for herein.

   b. Permit application. Application for a Permit required by this Section shall be on a form provided by the County Administrator and submitted with an application fee of two hundred ($200.00) dollars. The application shall include a Site Plan depicting:

      (1) Existing and proposed buildings, structures, pools, fences, walls, driveways, exterior mechanical equipment, sidewalks and other improvements that will result in removal of Protected Trees.

      (2) Location of all Protected Trees to be removed, or planted or preserved for mitigation credit, by species and DBH and distance from existing and proposed improvements.

   c. Application review. Upon receipt of a complete application a review shall be made in accordance with this Section. A Protected Tree Removal Permit, or as applicable, an

After-the-Fact Compliance and Mitigation Permit, will be issued by the County Administrator upon a determination that appropriate mitigation is being provided, as required in accordance with this Section.

d. Expiration of Protected Tree Removal Permits. A Protected Tree Removal Permit shall expire six (6) months of the date of issuance.

5. Appeals. When a Protected Tree Removal permit has been denied by the County Administrator, the property owner or agent may appeal this decision to the Ponte Vedra Zoning and Adjustment Board (PVZAB).

6. Variances. Variances from these regulations may be granted by the PVZAB in accordance with the standards and criteria in the Ponte Vedra Zoning District Regulations and the Land Development Code. The PVZAB may impose reasonable conditions on the issuance of variances.

7. Mitigation**.**

a. No mitigation shall be required pursuant to a Protected Tree Removal Permit for removal of Protected Trees due to the health or condition of the Tree indicating likely mortality, as determined necessary or appropriate by a Certified Arborist.

b. No mitigation shall be required pursuant to a Protected Tree Removal Permit for removal of Protected Trees whose trunk at ground level is wholly or partially located within five (5) feet of, and including, an existing or proposed Building Footprint of a principal building, driveway less than or equal to eight hundred (800) square feet or along a perimeter fence line.

c. Mitigation for Protected Trees removed pursuant to a Protected Tree Removal Permit whose trunk at ground level is wholly or partially located within five (5) feet of, and including, the footprint of a pool, patio, gazebo, sidewalk, driveway, accessory building or structure or other similar improvement shall consist of replacement on-site of one (1) inch DBH for each one (1) inch DBH removed, with a minimum replacement tree size of two (2) inches DBH.

d. Mitigation for all other Protected Trees removed pursuant to a Protected Tree Removal Permit shall consist of replacement on-site of two (2) inches DBH for each one (1) inch DBH removed, with a minimum replacement tree size of four (4) inches DBH.

e. Mitigation for Protected Trees removed pursuant to an After-the-Fact Compliance and Mitigation Permit that otherwise would not require mitigation for a Protected Tree Removal Permit shall consist of replacement on-site of one (1) inch DBH for each one (1) inch DBH removed, with a minimum replacement tree size of two (2) inches DBH.

f. Mitigation for Protected Trees removed pursuant to an After-the-Fact Compliance and Mitigation Permit that otherwise would require mitigation shall consist of twice the required mitigation for a Protected Tree Removal Permit, as provided for herein, with a minimum replacement tree size of four (4) inches DBH.

g. If the site is not of sufficient size to reasonably allow for replacing all the Protected Tree inches lost, as determined by the County Administrator, a one hundred dollar ($100)

per lost Tree inch deficiency charge for mitigation not capable of being performed on-site shall be paid into the St. Johns County Tree Bank Fund.

h. Specimen Trees shall not be removed or otherwise impacted unless approved by the County Administrator in accordance with Article IV of the St. Johns County Land Development Code.

i. Replacement Trees. The property owner or agent shall be required to replace planted mitigation Trees should the same die within two (2) years from date of planting. Planting of mitigation trees shall not be located within five (5) feet of a property line. Mitigation for Protected Trees that have been removed shall be completed prior to issuance of a Certificate of Occupancy.

j. Preservation. Credit for mitigation may be given for preservation of Oak, Hickory, Cedar or Magnolia Trees that are a minimum four (4) inches DBH of one (1) inch DBH for each one (1) inch DBH preserved.

8. Exemptions from the requirement for a Protected Tree Removal Permit or After-the-Fact Compliance and Mitigation Permit. No Protected Tree Removal Permit or After-the-Fact Compliance and Mitigation Permit shall be required for the following activities. Person(s) claiming any exemption shall have the burden of proving entitlement to the exemption after the fact, if requested by the County within six (6) months of completion of the activity.

a. Emergency situation. The removal of Protected Trees destroyed or severely damaged during or immediately following an emergency (i.e., hurricane, tropical storm, tornado, flood or any other act of nature).

b. Safety hazard. Pruning, trimming, or removal of a Protected Tree, if the property owner obtains documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that a tree presents a danger to persons or property.

c. The removal of Exempt Trees or dead Protected Trees.

d. The County shall have the right to prune, maintain and remove Protected Trees within public rights-of-way, (including for sidewalk construction), within any utility or drainage easements or within the illumination areas of street lights, and other public lands, as may be determined necessary by the County Administrator and provided removal of a Protected Tree cannot be reasonably avoided, which activities shall not be subject to mitigation assessment.

e. Routine landscape maintenance such as trimming or pruning of Protected Trees, which is not intended or reasonably likely to result in damage or the eventual death of any Protected Tree. Pruning of Protected Trees shall follow the latest version of the American National Standards Institute (ANSI) A300, part 1 “pruning standards.”

9. General Prohibitions.

a. Excessive or improper pruning. It shall be unlawful to engage in excessive or improper pruning techniques on Protected Trees that would adversely affect the condition of the tree or prevent reaching their mature canopy spread. This limitation shall not be construed to prohibit the trimming or pruning of trees that create a clear risk of danger

to persons or improved property.

b. Removal of County trees. It shall be unlawful to remove any Protected Tree that is within the County's rights-of-way adjoining a residential lot without a Protected Tree Removal Permit in accordance with this Section.

c. Tree spiking. It shall be unlawful to introduce any type of poison or reactive material to a Protected Tree for the purpose of causing the tree to die or become diseased.

d. Attachments. It shall be unlawful to attach anything, including signs, permits, nails or spikes that may be injurious or cause damage, to a Protected Tree. Exceptions are protective wires, braces or other devices used to support a tree.

e. Removal of Trees whose trunk at ground level traverses a property line, without the written consent of the adjoining property owner.

10. Enforcement.

a. No Clearance Sheet and Protect Tree Removal Permit approval shall be issued for any property that is not in compliance with this Section.

b. Enforcement of this Section shall be in addition to Code Enforcement authority provided by Article 10.05.00 of the Land Development Code or any other enforcement authority permitted by law.

c. The applicant, permittee, landowner, and person or business authorizing or performing actions in violation of this Section shall be jointly and severally liable and subject to fines and penalties, as provided for hereunder.

11. Penalties.

a. Unauthorized removal or destruction of a Specimen Tree shall be prima facie evidence of an irreparable or irreversible violation and such violation shall be subject to a fine not to exceed $15,000 to be determined by the County Administrator, which fine shall be paid to the St. Johns County Tree Bank Fund. The unauthorized removal or destruction of each Specimen Tree shall be considered a separate violation.

b. Penalty for Mass Clearing. If a lot, parcel, site or portion thereof, has been cleared such that the County Administrator is unable to determine with reasonable certainty the number and size of Protected Trees removed in violation of this Section, analysis of aerial photography or other such accepted scientific methodology shall be used to make a determination as to the loss of canopy and/or land cover for the purpose of assessing mitigation. In addition to other fees, fines and penalties that may be assessed under this Section or the Land Development Code, a fine of thirty-five dollars ($35.00) per square foot of canopy lost shall be assessed by the County Administrator, and shall be payable within seven (7) days of such assessment. No further work or development shall proceed until the County is in receipt of any such assessed fine.

c. After-the-Fact Compliance and Mitigation Permit.

Protected Trees removed or damaged without a Protected Tree Removal Permit in violation of this Section shall require an After-the-Fact Compliance and Mitigation Permit. Mitigation shall be required for issuance of such Permit. In addition, as a

condition of the After-the-Fact Compliance and Mitigation Permit issuance, the applicant shall immediately complete all remedial work as necessary to stabilize the site and mitigate all damage to the site and adjacent properties. The permit application fee for an After-the-Fact Compliance and Mitigation permit shall be four hundred dollars ($400.00).

SECTION IX

OFF- STREET PARKING AND LOADING

A. Location of Facilities.

1. Permanent off-Street parking and loading areas required for specific uses may be provided in a parking Garage or improved parking area and shall normally be located on the same Lot or parcel of Land as the use served. Street right-of-way may not be used to meet the minimum off-Street parking requirements.

2. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

3. Remote off-Street parking and loading areas may be established within four hundred (400) feet of the Lot or parcel of Land as the use served when practical difficulties prevent the placing of the facilities on the same Lot as the premises they are designed to serve. Permanent easements shall be secured and legally recorded for all such areas. The request for approval of remote off-site parking or loading faculties shall be handled as a Variance subject to approval of the PVZAB.

4. Temporary off-Street parking and loading areas shall be provided by the owner for seasonal and other peak demands exceeding the capacity of on-site and remote parking provided, as determined by his use experience.

B. Design Standards.

1. Drainage.

   Off-Street parking and loading area; entrances and exits (including area necessary for access and maneuvering) shall be drained to prevent damage to abutting property and/or public Street and Alleys and surfaced with erosion-resistant material in accordance with county specifications

2. Separation from Walkway and Streets.

   Off-Street parking and loading facilities shall be separated from walkways, sidewalks, Streets, or Alleys by a Wall, Fence, or curbing or other approved protective device. (See Section VIII.F., Buffer Areas).

3. Entrances and Exits.

   Location and design of entrances and exits shall be in accordance with County specifications. Landscaping curbing or other barrier may be provided along Lot boundaries to control entrance and exit of vehicles or pedestrians. Landscaping, Walls or other barriers shall not obstruct the view of the driver of a vehicle exiting onto any Street.

4. Access Drives.

   a. For the safety of vehicles and pedestrians, access to parking and loading areas shall be designed so as not to obstruct free flow of traffic, with adequate provision for stacking where required and for eliminating the necessity of standing or backing into the Street.

   b. Individual ingress and egress drives for residential drives extending across the public sidewalks and curbs and connecting the off-Street parking spaces to Street areas shall have a nominal width of twelve (12) feet to eighteen (18) feet (fourteen (14) to eighteen (18) feet for a major collector roadway) for a one-way drive at the Property Line and extending at least to the full depth of any buffer area required. (See Section VIII.F) The design, number and placement of such drives are subject to the requirements of Section 6.05.02 of the St. Johns County Land Development Code.

5. Interior Drives.

   Minimum width of interior drives shall be related to the angle of parking stalls and use of one-way or two-way traffic as follows:

Parking Angle	**One-Way**	**Two-Way**
(Degrees)	(Feet)	(Feet)
Parallel	10	20
30	11	22
45	12	22
60	18	24
90	24	24
Drives Without Parking	16	24
Bank Teller By-Pass Lanes	16	24

6. Size of Parking and Loading Spaces.

   a. The size of parking space for one vehicle shall consist of a rectangular area having dimensions of not less than ten (10) feet by twenty (20) feet for standard spaces, eight and one-half (8.5) by sixteen (16) feet for compact spaces and twelve (12) by twenty (20) feet for handicap spaces, plus adequate area for ingress and egress.

   b. There shall be a maximum of eight (8) spaces in a single row with a minimum ten (10) feet wide by twenty (20) feet long island separating each eight or fewer space groups. A parking area shall not be used as a through way to reach an adjacent Building site or replace a roadway. Unbroken parking and drive areas exceeding five thousand six hundred (5,600) square feet shall not be permitted. Required separation strips shall contain natural or planted trees and shrubs.

   c. Minimum dimension for each loading berth shall be twelve (12) feet by forty (40) feet. Additional length may be required if deemed necessary for a given expected type of vehicle usage. An overhead clearance of fourteen (14) feet from pavement grade shall be required.

7. Marking of Parking Spaces.

Parking spaces in Lots of more than ten (10) spaces shall be marked, by painted lines or curbs or other means to indicate individual spaces. Signs or markers shall be used as necessary to ensure efficient traffic operation of the Lot.

8. Lighting.

   Adequate lighting shall be provided if off-Street parking or loading facilities are to be used at night. The lighting shall be designed and installed to minimize glare on adjacent property. The parking area illumination shall be confined to the parking area, not extending beyond the Property Line. Bulbs shall be concealed from adjacent properties.

9. Screening

   Wherever off-Street vehicular use areas are located closer than forty (40) feet to a Lot zoned residential and when such parking spaces are not entirely screened visually from such a Lot by an intervening Building or Structure, there shall be provided along the Lot line a continuous screen with a minimum height of five (5) feet. Such screen shall consist of a solid Wall, Fence or compact permanent shrubbery. (See Section VIII.F, Buffer Areas).

C. Off-Street Parking - Minimum Requirements.

Use	Spaces Required
Auditorium, Theater, Church, Gymnasium & Stadium	One (1) space per four (4) seats and for each twenty-five (25) square feet of space available for temporary seating or standing.
Automotive Service Station	Three (3) spaces per pump.
Automotive Filling Station	One (1) space per pump.
Auto Wash, Drive-In	Three (3) spaces per wash unit.
Bank and Financial Institution	See Sales and Service Establishments.
Barber Shop, Beauty Parlor	One (1) space per one hundred (100) square feet of gross area.
Child Care Center	One (1) space per three hundred (300) square feet of gross area.
Clubs, Public or Private	One (1) space per two hundred and fifty (250) square feet of GFA including all swimming pool areas, but excluding areas occupied by associated uses such as golf courses, tennis courts and retail shops, plus an additional seventy-five (75) percent of the spaces required for the associated spaces.
Conference Center/Meeting Room	One (1) space per two hundred (200) square feet of GFA.
Fire Stations	One (1) space per employee on the maximum shift and one (1) space per three (3) volunteer personnel normally on call, plus one (1) space per three hundred (300) square feet of gross office area.

Golf Course/Tennis Courts	Four (4) spaces per hole or court, plus fifty (50) percent of the requirements for any associated uses, except in developments which have otherwise adequate provisions for parking.
Hotel, Motel	One (1) space per room to be rented and per two (2) employees, plus seventy-five (75) percent of the spaces required for associated uses such as restaurant, lounge, meeting rooms and retail shops.
Parks, Recreation and Athletic Facilities	One (1) space per five (5) persons that the facility is designed to accommodate plus one (1) space per two hundred (200) square feet of GFA within enclosed Buildings used in a manner not susceptible to such calculations. See Subsection A.2.
Library, Museum or Similar Structure	One (1) space per three hundred (300) square feet of area within enclosed Buildings.
Medical, Dental or Veterinarian Office	One (1) space per two hundred (200) square feet of GFA.
Nursing Home and Similar Uses	One (1) space per two (2) patient beds and for each additional room.
Office and Professional Building (Free Standing)	One space (1) per three hundred (300) square feet of GFA.
Public Buildings	One (1) space per vehicle owned and operated by the public agency and per employee plus one (1) space per two hundred fifty (250) square feet of GFA.
Residential Single-family Multi-family	 Two (2) spaces per unit. 1 bedroom—1.5 spaces per unit 2 bedrooms—1.75 spaces per unit 3 bedrooms or more—2 spaces per unit
Restaurants and Bars (Free Standing)	One (1) space per one hundred (100) square feet of GFA.
Retail Store (Free Standing)	See Sales and Service Establishments
Sales and Service Establishments not listed elsewhere, which deal with customers on the premises.	One (1) space per three hundred (300) square feet of Floor area available to customers.
Schools Junior High and Lower Senior High and Vocational	One (1) space per six (6) auditorium or gymnasium seats, or Two (2) spaces per classroom, lab or workshop. Four (4) spaces per classroom, lab or workshop.
Shopping Center	One (1) space per two hundred (200) square feet of GFA.
Utility (all uses permitted within the R-5 Utility District)	One (1) space for each two (2) employees of the maximum number employed on the premises at any one time, plus one (1) space for each five thousand (5,000) square feet of GFA.

Other Uses	For specific uses not scheduled above the unit of measurement set forth in the above schedule which is deemed to be most similar to the proposed uses or an appropriate standard from an accepted reference manual may be proposed.

D. Off-Street Parking — General Provisions.

General provisions of this section shall apply to all new Buildings or Structures and to alterations or additions to existing Buildings.

1. Parking space requirements for a use not specifically listed in these Regulations shall be determined by the County Zoning official, on advice of the PVZAB, based on required parking for uses with similar demand.

2. Where fractional spaces result in the foregoing parking space requirements, the parking space shall be the nearest whole number.

3. Up to fifteen (15) percent of the required parking spaces in any Lot may be designed and designated as compact spaces. Such spaces shall be prominently marked and posted.

4. In the case of multiple uses, the required parking shall be the sum of the separate requirements of the individual uses.

5. Whenever a Building or Structure is enlarged so that the available parking space is less than the minimum required by these Regulations, such additional parking shall be provided accordingly.

6. Whenever a change of use occurs, not involving structural enlargement, so that the available parking space is less than the minimum required by these Regulations, additional parking spaces shall be provided so as to comply with such requirements; except that, when the additional parking requirement amounts to less than twenty-five (25) percent of the parking required for the previous use, the additional spaces need not be provided.

7. Parking spaces required by these Regulations shall not be altered or utilized so as to prevent their use for parking purposes.

8. Joint Use.

   No parking spaces provided to meet the requirements of these Regulations for one Building or use shall be included as part of the spaces required for another Building or use, unless the county Zoning Official determines on advice of the PVZAB that the uses are of such a nature that the periods of use of parking facilities will not conflict. See Paragraph A.1. of this section.

   Ingress and egress for any Building's Parking Lot shall be from an access drive off of a public Road or private driveway or access easement and not through a Parking Lot of any adjacent Building. For safety reasons, no parking spaces shall be allowed on an access drive, private roadway or an access easement.

9. The provisions of the Overlay District shall apply.

10. Except as specified in this Section, the Roadways, Drainage and Utilities Standards of Part 6.04 and Parking and Loading, Part 6.05 of the St. Johns County Land Development Code as amended from time to time shall apply.

11. No parking is allowed in the right-of-way of Ponte Vedra Boulevard (County Road 203) between the Duval County Line and the point of curvature depicted in Exhibit "A", approximately located at 1105 Ponte Vedra Blvd. (attached hereto and incorporated herein), with the following exceptions:

    a. Emergency and law enforcement vehicles;

    b. Public service related vehicles, including but not limited to waste/recycling collection, U.S. Postal Service and package delivery vehicles, and utility vehicles;

    c. School buses providing transportation for public or private school students (for grades K-12);

    d. Truck Tractors or Truck Tractor Semi Trailers, as those terms are defined in Chapters 316, Florida Statutes, but only when used to transport furniture, appliances, bulk material, and other belongings of a person moving in to or moving out of a residence and only when a flag person is provided to signal traffic and only for so long as is reasonably necessary to load or unload. Parking of said vehicle for greater than 10 minutes shall require the use of onsite flag persons or safety cones. This exception does not apply to regular periodic deliveries or regular periodic services provided to a property or person for the purposes of lawn maintenance or other maintenance and repair services.

    e. Resident or non-resident owned vehicles parked under the supervision of on-scene traffic control deputies provided by the St. Johns County Sheriff's Office at the resident's or non-resident's expense. One traffic control deputy shall be required for ten (10) or fewer vehicles; two traffic control deputies shall be required for greater than ten (10) vehicles, up to a maximum of twenty-five (25) vehicles. Persons wishing to exercise this exception must complete the following:

        (i) Obtain a permit at least two (2) weeks in advance of the date that the parking event is desired. The two week requirement may be waived for unavoidable exigent circumstances; e.g., funerals, etc. The Sheriff may reasonably determine on a case-by-case basis what constitutes an unavoidable exigent circumstance.

        (ii) Permits will be issued by the Patrol Administrator of the St. Johns County Sheriff's Office at no cost.

        (iii) Permits will not be issued for parking between the hours of 1:00 a.m. and 7:00 a.m.

        (iv) Permits will only be issued for one day at a time and the permit holder will be responsible for contracting for law enforcement traffic control services for the duration of the permitted parking event.

        (v) Permit holder must be present or available by telephone during the parking event.

f. Pre-existing improved public parking adjacent to the Carlyle Condominiums.

Parking shall not be allowed on sidewalks or within five (5) feet of an existing driveway.

Violations of this Subsection IX.D.11 shall be deemed violations of the St. Johns County Parking Ordinance (Ordinance 2015-30), as may be amended from time to time.

Parking/Placement of construction materials, dumpsters, construction debris containers, portable toilets, or any other construction related items is prohibited in the right-of-way of Ponte Vedra Boulevard (County Road 203), as described in this subsection.

12. No parking is allowed in the right-of-way of San Juan Drive (a County owned/maintained local road) between Solana Road and Ponte Vedra Boulevard as depicted in Exhibit "A" (attached hereto and incorporated herein) in the Municipal Service District (MSD) of Ponte Vedra Beach, with the following exceptions:

    a. Emergency and law enforcement vehicles;

    b. Public service related vehicles, including but not limited to waste/recycling collection, U.S. Postal Service and mail/package delivery vehicles, and utility vehicles;

    c. School buses providing transportation for public or private school students (for grades K-12);

    d. Truck Tractors or Truck Tractor Semi Trailers, as those terms are defined in Chapters 316, Florida Statutes, but only when used to transport furniture, appliances and other belongings of a person moving into or moving out of a residence and only for so long as is reasonably necessary to load or unload. This exception does not apply to routine deliveries of furniture, appliances or other items to a residence at any other time than moving in or moving out of the residence.

    e. Parking of non-commercial vehicles between the hours of 5 p.m. and 7:00 a.m. on weekdays (Monday through Friday), and at any time on weekends (Saturday and Sunday), except where no parking anytime signage is specifically posted by St. Johns County.

    Parking shall not be allowed on sidewalks or within five (5) feet of an existing driveway.

    Violations of this Subsection IX.D.12 shall be deemed violations of the St. Johns County Parking Ordinance (Ordinance 2015-30), as may be amended from time to time.

    Parking/Placement of construction materials, dumpsters, construction debris containers, portable toilets, or any other construction related items is prohibited in the right-of-way of San Juan Drive as described in this subsection.

E. Non-Conforming Developments.

See Section VIII.B.

SECTION X

SIGNS

Signs shall be permitted in the various zoning Districts only in accordance with the following:

A. Number and Size of Signs Permitted in all R-1 Single Family Residential Districts

1. Signs pertaining to the sale, lease or rental of property or Buildings, including “Open House” Signs, shall be subject to the following conditions and restrictions:

    a. Only one (1) Sign shall be permitted on any one Lot or parcel of Land in addition to any exempt Signs covered in this regulation.

    b. The face surface of each Sign shall not be larger than eighty (80) square inches.

    c. The Sign shall be constructed only of metal, plastic, wood or pressed wood and shall be fastened to a supporting member constructed of angle iron not exceeding one (1) inch by one (1) inch or a four (4) by four (4) inch post.

    d. The supporting member shall be driven into the ground to provide that the top of the face of such sign shall not be more than four (4) feet above the Established Grade of the ground.

    e. All such Signs shall be lettered professionally.

    f. Such Signs shall be erected or placed so that its centerline is parallel or perpendicular to the front Property Line.

    g. Nothing contained herein shall be construed as prohibiting the same wording from being on both the front and the back of the Sign.

    h. Where such Sign is suspended from an arm of the support, such arm shall not exceed a length of twenty (20) inches.

    i. Such Sign shall be kept in good repair and shall not be illuminated, animated, or constructed of a reflective material and shall not contain any flags, streamers, movable items or like devices.

    j. Any such Sign shall be removed within five (5) days from the date a binding agreement is entered into for the sale, lease or rental of the property or immediately upon the removal of the property from the market, whichever occurs first.

2. Signs identifying owner’s name and/or house number shall be the same as above as to size, and may be illuminated.

3. Prohibited Signs:

a. Commercial signs attached to or placed on a vehicle (including trailers) that is parked on public or private property, when such Sign is being used as advertising at the parking location.

b. Commercial advertising Signs pertaining to products or services rendered.

c. Signs listed in Subsection F.

B. Number and Size of Signs Permitted in the R-2 Multiple Family Residential Districts.

1. Single and Two Family Dwellings—same requirements as for R-1 Districts.

2. All of other uses:

a. Shall be limited to one (1) Wall Sign in painted or molded letters. The face area of such a Sign shall not exceed twenty-four (24) square feet.

b. One (1) Ground Sign, in addition to a Wall Sign, may be installed in painted or molded letters and shall be on-site. The total Ground Sign face area shall not exceed thirty-two (32) square feet. Such Sign may be double faced.

c. In construing the provisions of this section, Signs erected within or upon doors containing letters not exceeding six (6) inches in height shall not be counted in computing the number of Signs.

d. Real Estate for Sale, Lease or Rental Signs, including “Open House” Signs, may be installed in addition to the above limits provided the face area of the Sign shall not be greater than eighty (80) square inches and limited to one Sign per Building, apartment or condominium unit or Vacant Lot and subject to the same conditions and restrictions as outlines for single-family residential Districts.

C. Number and Size of Signs Permitted in R-3 Commercial District and R-4 Recreational District.

1. For all uses permitted in the R-2 Districts, the same Regulations as in the R-2 Districts shall apply (R-3 District Only).

2. All other uses:

a. Shall be limited to one (1) Wall Sign upon the front elevation of the Building. When such Building abuts both on front and side Streets, one (1) Wall Sign may also be located upon the side Street elevation of the Building. The total Wall Sign area for each Building establishment shall not exceed twenty-four (24) square feet per face.

b. Where a Building is divided into units for several businesses, one Wall Sign as specified above is authorized for each such business. In addition, each business located therein may have one double-faced hanging Sign under covered walkways with maximum dimensions two (2) feet vertical by four (4) feet horizontal.

c. One (1) Awning Sign may be substituted, on the front elevation of the Building, for a Wall Sign. A window identification Sign may be substituted for a Wall Sign.

d. In construing the provisions of this section, Signs erected within or upon show windows, display windows or doors containing letters not exceeding six (6) inches in height shall not be counted in computing the number of Wall or Hanging Signs.

e. One (1) Ground Sign of the following maximum sizes, in addition to Wall Signs, may be installed when used in connection with a business conducted on the premises, and shall be on-site. Said Sign may be double-faced and shall not create a traffic hazard or endanger the public safety.

(1) For uses occupying five (5) acres or less, the total Ground Sign Face Area shall not exceed thirty-two (32) square feet per Sign face. For uses occupying more than two (2) acres, one such Sign is authorized for each Street Frontage.

(2) For shopping/office centers occupying more than five (5) acres, the total area per face may not exceed eighty (80) square feet, and one such Sign is authorized for each Street Frontage. The provisions of the Overlay District shall apply.

f. For office and professional Buildings with multiple tenants, one (1) directory Sign containing the names of individuals, organizations or businesses occupying the Building not exceeding fifteen (15) square feet per face area.

g. Signs installed with molded letters shall be measured at the most extreme limits of length and width and the area shall be computed from these measurements for conformance to the face area limitations.

3. Real Estate for Sale, Lease or Rental Signs may be installed in addition to the above limits provided the face surface of the Sign shall not be greater than sixteen (16) square feet and limited to one (1) Sign per parcel of Land, store or office Building.

4. Signs may be supported by foundations the height of which may not exceed four (4) feet. Use of dirt, sand or other material to elevate the height of the Sign on a mound is prohibited. The maximum height to the top of the Sign or mounting surface for molded letters shall be eight (8) feet.

5. Directional Ground Signs within Property Lines shall be limited to two (2) square feet per Sign. Logos on directional Signs are prohibited.

6. Temporary Window Signs. Signs for the purpose of advertising a particular type of services, products or events shall be regulated as follows:

a. The Sign or Signs shall be temporary and may be attached or applied to the inside surface of the window. Any Sign within two (2) feet of the glass is considered a window Sign.

b. The total window Sign coverage is limited to fifteen (15) percent of the total window space.

c. See Subsection C.2.C.

d. A temporary window Sign must be removed within thirty (30) days of installation.

D. Number and Size of Signs Permitted in R-5 Utility District.

Shall be limited to one (1) Sign not to exceed nine (9) square feet in area.

E. Exempted Signs.

The following Signs shall be exempt form the provisions of this section:

1. Official County or state information Signs designed and installed by the County or state.

2. Official traffic Signs and Sign Structures, provisional warning Signs and Sign Structures, when erected or required to be erected by a legally constituted governing body.

3. Campaign Signs for candidates of public office with the provision no Candidate Signs or placards shall be permitted to be erected or placed on utility poles, trees, etc. or in any right-of-way, median or other public property in or along any road or highway.

    a. Posting of such Signs shall be authorized by the owner of the property on which the Sign is posted.

    b. Such Signs shall not exceed twelve (12) square feet in area or four (4) feet in height above ground level. No fill shall be added to property to increase height of a Sign.

    c. To the extent, if any, that any portion of Article X conflicts with Chapter 102.031.F.S. then that Statute shall prevail as to such conflict during the time of conflict.

    d. No more than one (1) Sign per individual candidate shall be placed on any Lot.

4. One (1) on-site “Garage Sale” Sign to be installed on a temporary basis not exceeding forty-eight (48) hours in duration and not to exceed one (1) square foot in size.

5. One (1) on-site Sign identifying a Subdivision of homes with the name only of the Subdivision not to exceed eighty (80) square feet of face area.

6. When construction or modification of a Building commences, one (1) Sign denoting the owner’s name or general contractor’s name, phone number, and Street number may be erected on the Street side of the property, but shall be a temporary Sign only to identify the job site and shall be removed when the Building has been completed. Such Sign shall not exceed one (1) square foot of face area.

7. Warning Signs stating pesticide has been sprayed on lawns or gases have been used to fumigate Buildings. Said Signs to be temporary and removed once the danger period of inhalation has passed. The exterminator’s trade name, address and phone number may be shown on these warning Signs.

8. Signs prohibiting trespassing on property and alarm warning Signs. Such Signs shall not exceed one (1) square foot of face area.

9. One (1) flag.

F. Prohibited Signs.

Applicable to all Zoning Districts.

1. Roof, Snipe, Banner Type, Spectacular, Portable and Animated Signs and highway billboards.

2. Off-site Signs other than exempted Signs.

3. Signs projecting beyond the Property Line over any Street, Road, easement, right-of-way, walk or Alley or Signs within five (5) feet of any Property Line or Signs within a sight triangle as described in Section VIII.F.10. of these regulations, except mailboxes and exempt Signs.

4. Signs painted on the roof of any Building or Structure.

5. Sub-contractor Signs at construction sites.

6. Statues, flags, banners, pennants, and inflatables used for advertising purposes.

7. For sale Signs attached to, in or placed on a vehicle (including trailer and recreation vehicles) that are parked on public or private property.

8. Signs located in the landscape buffer.

9. Temporary signs advertising “future businesses” on Land being developed.

10. Portable, mobile or freestanding Signs.

11. Signs on vehicles or trailers parked primarily for display or advertising purposes.

G. Removal of Non-Conforming Signs.

Applicable to all Zoning Districts.

All non-conforming Signs and Sign Structures in legal existence prior to the effective date of this section shall be removed by the owner of said Sign or by the owner of the property where the Sign is located within two (2) years, except for Section VIII.Q.5.d.(4) and (5), following the effective date of the Regulations to which it is in non-conformity. The Code Enforcement Officer, or other authorized official, of St. Johns County may cause to be removed any Sign not conforming with the provisions of these Sign Regulations.

H. Sign Content

Any other provision of this Ordinance notwithstanding, any Sign authorized under this Ordinance is allowed to contain any legal non-commercial message, including political messages, in lieu of any other message, but only under the same non-message provisions otherwise provided for the particular type of Sign.

SECTION XI

Review of Plans

A. Permit and Review Requirements.

Prior to any Building permit being issued, the plans submitted shall be reviewed for conformance with the Ponte Vedra Zoning District Regulations, including plans prepared in conformance with the State of Florida or St. Johns County requirements for construction on or east of the Coastal Construction Control Line. Written approval prior to commencement of construction for paving and other impervious surfaces shall be required in compliance with the Roadways, Drainage and Utilities Standards of Part 6.04 of the St. Johns County Land Development Code as amended from time to time. Compliance with Deed Restrictions, where applicable, shall be the responsibility of the property owner.

B. Ponte Vedra District Planning Advisor.

The Board of County Commissioners may in its discretion designate a Ponte Vedra District Planning Advisor to assist the St. Johns County Growth Management Services Department by making a preliminary review of construction plans for conformance with the Ponte Vedra Zoning District Regulations. An Assistant Ponte Vedra District Planning Advisor may be designated who may perform all the functions of the Ponte Vedra District Planning Advisor in the event of his unavailability. The duration of service of the Ponte Vedra District Planning Advisor and Assistant Ponte Vedra District Planning Advisor shall be at the pleasure of the Board of County Commissioners.

C. Review Procedures

Plans submitted for review shall include: (i) a certified survey of the parcel(s) and if the parcel(s) is adjacent to wetlands, a wetlands line, as defined by the appropriate State or Federal agency, shall be shown; (ii) a site plan giving the location and description of the parcel(s) of Land and showing all Property Lines, Building Restriction Lines, Coastal Construction Control Line where applicable, buffer areas and location, use and dimensions of all Structures to be constructed or planned to be constructed in the future, including accessory Structures, Hardscape, paving, Docks, bulkheads, Walls and Fences. For those Structures for which Building permits are being requested, plans shall include elevation drawings, floor plans and first floor elevation, existing and Established Grade elevations at Building perimeters, centerline elevation of the abutting Streets, Building height and a certified survey. Plans shall be accompanied by calculations of the Building Pad elevations, of parking and loading requirements the square foot areas of the Lot, Structures and paving and percentage of Lot coverage. Plans for Land Fill, Land grading, Retaining Walls, Lagoon Bulkheads and docks, Building Pad location or elevation, beach/dune walkways and increases in Lot coverage shall be submitted before commencing work. Where applicable, submission shall also include identification of features required by the State of Florida and/or St. Johns County relative to the Coastal Construction Control Line and verification that Non-Conforming Uses and Structures to be restored existed on the effective date of the Regulations to which the use or Structure is not in conformity.

Plans shall be submitted and reviewed in accordance with the following procedures:

1. For projects requiring a Building permit, three (3) complete sets of plans will be submitted to the Building Services Division and reviewed by the Planning Advisor. For projects not requiring a Building permit three (3) complete sets of these plans shall be submitted to the Planning Advisor. Two (2) sets of plans with comments will be returned.

2. The Planning Advisor shall respond within ten (10) days, excluding Saturday, Sunday and holidays, from the date of receipt of the plans, by (i) returning copies of the plans signed by the Planning Advisor, indicating by remarks or notations on the plans, the conformity and any non-conformities, of the plans with the Ponte Vedra Zoning District Regulations, or (ii) requesting further information if the plans are incomplete or illegible.

3. The St. Johns County Growth Management Services Department shall not issue a zoning clearance, nor shall the St. Johns County Building Services Division issue a Building permit, without having first received the preliminary review remarks of the Planning Advisor. However, in the event the Planning Advisor does not furnish the preliminary review remarks in a timely period, the Building Services Division may then issue a permit without delay if the Planning Division finds the plans to be in conformity with the Ponte Vedra Zoning District Regulations, and the Building Services Division determines that the plans meet all other applicable land development regulations.

4. Further, to allow a field review immediately after start of construction, Lot corners shall be permanently marked by steel pins guarded by at least one inch by four inches by four feet (1" x 4" x 4') stakes with two (2) above ground, so physical site review may be performed to ascertain only approved work is commenced.

SECTION XII

ADMINISTRATIVE AND LEGAL

A. Effective Date.

These Zoning Regulations, authorized by Chapter 65-2171, Laws of Florida, Acts of 1965, hereinafter referred to as The Act, shall take effect immediately upon receipt of official acknowledgement by the Office of the Secretary of State to the Clerk of the St. Johns County Board of County Commissioners, that same has been filed.

B. Ponte Vedra Zoning and Adjustment Board — Administration.

1. In order to avail itself of the powers conferred by The Acts, the St. Johns County Board of County Commissioners shall appoint a board to be known as the Ponte Vedra Zoning and Adjustment Board (PVZAB). These Regulations shall be administered in conformance with The Act and any subsequent amendments thereto.

2. Members of the PVZAB shall be qualified electors residing in said District and shall serve without compensation and at the pleasure of the St. Johns County Board of County Commissioners. Appointments of board members shall be for four (4) year terms with total service limited to two (2) such terms.

3. Applications to fill future vacancies in the PVZAB may be filed at any time in the office of the St. Johns County Board of County Commissioners. Completed applications shall be provided to the St. Johns County Commissioners, who in turn will provide copies to the PVZAB and any other interested party or organization requesting such in writing. Recommendations from the PVZAB will be forwarded to the St. Johns County Board of County Commissioners.

4. Any PVZAB member failing to attend two (2) of any three (3) successive meetings without cause and without approval of the Chairman of PVZAB shall be recommended to the St. Johns County Board of County Commissioners for dismissal from such board.

5. The PVZAB shall hold regular monthly meetings and special meetings as needed. The time and place of said regular meetings shall be on file in the Office of the St. Johns County Board of County Commissioners. All meetings of the PVZAB shall be open to the public. The said board shall keep minutes of its proceedings, and other official actions, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, all of which shall be maintained and preserved as a permanent record. The affirmative vote of at least four (4) members on the Board shall be required for the passage of any motion.

C. Interpretation.

In interpreting and applying the provisions of these Regulations, the minimum requirements for the promotion of the public health, safety, morals, and general welfare of the community shall be met.

D. Amendments.

Any party or parties proposing or recommending a change in the Ponte Vedra Zoning District Regulations or District boundaries shall deposit with the Clerk of the Circuit Court of St. Johns County, a reasonable fee established by Resolution of the Board of County Commissioners. Any proposal for change shall be submitted to the PVZAB prior to submitting same to the St. Johns County Board of County Commissioners.

E. Violations, Enforcement and Penalties.

1. The violation of any of the provisions of the Ponte Vedra Zoning District Regulations, or any restrictions and limitations promulgated under the authority of any zoning Regulations, as now existing or hereafter amended, shall be prosecuted in the same manner as misdemeanors are prosecuted. Any person, firm or corporation shall, upon conviction of violation thereof, be punished by a fine not to exceed $500.00 or by imprisonment in the County jail not to exceed sixty (60) days, or by both such fine and imprisonment. Each day that an offense or violation of any regulation, restriction or limitation continues shall be deemed a separate offense.

2. In addition, the violation of any provisions of the Ponte Vedra Zoning District Regulations, or any restrictions and limitations promulgated under the authority of any zoning Regulations, as now existing or hereafter amended, may be restricted by injunction, including a mandatory injunction and otherwise abated in any manner provided by Law. Such a suit or action may be instituted and maintained by the St. Johns County Board of County Commissioners, or by any person, firm, corporation, association or other group or body affected by the violation of any such Regulations, restrictions or limitations.

3. In addition, the violation of any provision of the Ponte Vedra Zoning District Regulations, or any restrictions and limitations promulgated under the authority of any zoning Regulations, as now existing or hereafter amended, may be enforced by the St. Johns County Code Enforcement officers in accordance with Chapter 125 and 162, Florida Statutes, including, but not limited to, “Citation” enforcement as adopted and implemented by Ordinance 94-36, as may be amended from time to time.

4. Should Code Enforcement issue a citation that may be resolved by public hearing before the PVZAB, six (6) months shall be the permitted time to receive approval of the desired Code deviation.

F. Maps.

The boundaries of the Ponte Vedra Zoning District are shown on Maps entitled “St. Johns County Zoning Map, Zoning District No. 5” consisting of two (2) separate index pages and thirteen separate maps numbered 1 through 13, as amended from time to time. These Maps together with all the notations, references and other information shown thereon, are made a part of these Regulations, the originals of which maps are properly attested and are on file with the Clerk of the Circuit Court, in and for St. Johns County, Florida, and are made a part hereof by reference.

G. Validity.

1. Should any section, clause or provision of these Regulations and any subsequent revisions thereto be declared by a court of competent jurisdiction to be invalid, the same shall not affect

the validity of the Ordinances as a whole or any part thereof other than the part so declared to be invalid.

2. Zoning Resolution for an original zoning District of St. Johns County, Florida designated Zoning District Number 5 adopted by the St. Johns County Board of County Commissioners, November 24, 1964, and any other resolutions or parts of resolutions in conflict herewith or inconsistent with the provisions of these Regulations are hereby repealed.

H. The Ponte Vedra Zoning and Adjustment Board responsibilities.

The PVZAB is responsible for reviewing and making of recommendations to the Board of County Commissioners of St. Johns County on all vacation of plats, major modifications to planned unit and special developments, Rezonings and road vacations, individually or collectively "development actions," that pertain to lands located within the Ponte Vedra Zoning District. Such reviews and recommendations shall address issues of whether such proposed actions are in compliance with applicable St. Johns County ordinances and resolutions, the Ponte Vedra Zoning District Regulations and the county comprehensive plan.

I. Rezoning Land.

1. PVZAB Powers and Duties.

   a. The PVZAB shall serve in an advisory capacity to the St. Johns County Board of County Commissioners on matters relating to Rezoning Land.

   b. A public hearing shall be held by the PVZAB to consider an application for Rezoning on the date specified by public notice. Notice of such public hearing shall be made as provided in Article 9.06 of the Land Development Code, except that those functions normally performed by the Planning and Zoning Agency shall be performed by the PVZAB, and any party shall be heard in person or by agent or by an attorney.

   c. The PVZAB shall submit, in accordance with LDC, Section 9.04.03, a report with recommendations and findings of fact to the St. Johns County Board of County Commissioners. A planning or legal staff member shall present the findings of fact and the recommendation of the PVZAB to the Board of County Commissioners at the public hearing. The report shall be advisory only and shall not be construed to be binding upon the Board of County Commissioners.

   d. In the event that the PVZAB makes recommendations and findings to the Board of County Commissioners that an application to rezone Land within the Ponte Vedra Zoning District be denied, the applicant may apply to the PVZAB for a rehearing of said application within fourteen (14) working days after the conclusion of the original public hearing before the PVZAB on such application. The filing of such request for rehearing shall stay the requirement in Subsection I.1.c., above, that the PVZAB file with the Board of County Commissioners within thirty (30) working days after the conclusion of the original hearing a report of the action taken at the original hearing. The request for rehearing shall set forth the basis for such request, including any materials to be presented at the rehearing that were not presented at the original hearing. The PVZAB shall, at its next regular monthly meeting determine whether the applicant has set forth sufficient grounds for a rehearing. If the PVZAB determines that a rehearing shall be held, such rehearing shall be held at the earliest possible regular monthly meeting of the PVZAB consistent with the giving of

appropriate notice to all parties concerned. If the PVZAB determines that a rehearing is not warranted, the PVZAB shall, within thirty (30) workings days after the conclusion of the public hearing denying the rehearing request, submit a report to the Board of County Commissioners setting forth the original recommendations and findings and the basis for the denial of the request for a rehearing. The requirements of Subsection J. hereof with respect to appeals or recommendations to the Board of County Commissioners of any determination of the PVZAB shall apply.

e. The PVZAB shall hold an additional public hearing if a proposed Rezoning is returned to the PVZAB by the Board of County Commissioners (See Subsection I.2.c).

2. Board of County Commissioners Action.

Upon receipt of the report of the PVZAB, the Board of County Commissioners shall set the matter for public hearing. Notice of such hearings shall be made as provided Article 9.06 of the Land Development Code and in accordance with Florida Statute Chapter 125.66(2), as amended from time to time. At the conclusion of the public hearing, the Board of County Commissioners shall either:

a. Deny the proposed Rezoning.

b. By Ordinance adopt such Rezoning.

c. Return the proposed Rezoning to the PVZAB for additional considerations and/or negotiations with the applicant.

3. Initiation of Proposed Rezoning.

An ordinance for the Rezoning of Land may be proposed by the St. Johns County Board of County Commissioners or any member thereof or the owner of subject property, his attorney or duly authorized agent.

4. Limitations.

a. Whenever the St. Johns County Board of County Commissioners has, by Ordinance or Resolution, changed the zoning classification of Land, neither the PVZAB nor the Board of County Commissioners shall then consider any applications for Rezoning of any part or all the same Land for a period of one (1) year from the effective date of such Ordinance or Resolution.

b. Whenever the St. Johns County Board of County Commissioners has denied an application for the Rezoning of Land, no further application shall be filed for the same Rezoning category of any part, or all of the same Land for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same Rezoning for any part or all of the same Land has been denied, no further application shall be filed for the same Rezoning category of any part or all of the same Land for a period of two (2) years from the date of such action denying the last application filed.

c. The time limits of this subsection may be waived by the affirmative vote of the majority of the St. Johns County Board of County Commissioners when such action is deemed necessary to prevent injustice or to facilitate proper development of the County.

5. Governmental Use:

   a. A Rezoning of Land to another zoning classification wherein governmental uses are allowed may contain language indicating that the Rezoning is for the express purpose of permitting thereon public Buildings to be used by Federal, State, or Municipal government for public purposes and a Rezoning containing such language shall be subject to automatic reversion to the original zoning classification in the event the governmental usage of the property does not occur, or after commencement and usage is abandoned or terminated.

   b. St. Johns County shall be exempted from any requirements to Rezone Land now or hereafter owned by St. Johns County to the applicable zoning classification permitting thereon public Buildings and/or Buildings. This exemption shall apply to any public Building used by St. Johns County including but not limited to, libraries, schools, fire stations, law enforcement, Parks, Playgrounds, utilities and administrative offices. Penal or correctional institutions are not permitted.

   c. Any public Buildings, whether used by Federal, State, County or Municipal government, shall comply with all setback, height, and other Building restrictions applicable to such Buildings, and further shall provide for adequate on-site parking to accommodate the public usage of the Building, and conditions to insure all of the foregoing may be imposed in any Rezoning.

J. Zoning Variances.

1. Granting of Zoning Variances.

   The PVZAB may grant Zoning Variances from the terms of the Ponte Vedra Zoning District Regulations if the following findings are made:

   The Variance will not be contrary to the public interest, and where, by reason of exceptional narrowness, shallowness, or unusual shape of a specific piece of property, or by reason of exceptional topographic conditions or other extraordinary situations or conditions of such piece of property, or by reason of the use or development of property immediately adjoining the piece of property in question, the literal enforcement of the requirements of the Zoning Ordinance would cause undue Hardship to the applicant. In this context, personal, family, or financial difficulties, loss of prospective profits, similar neighboring violations, or Hardships created by an act of the owner are not considered Hardships justifying a Variance.

2. Granting of Use Variances.

   Applications for Use Variances shall proceed and be processed in the same manner as standard Rezoning applications set forth in Subsection I. hereof.

3. Granting of Non-Zoning Variances.

A Non-Zoning Variance is a case-by-case deviation to the rules of this Code, when it is demonstrated that compliance with the Code would be a practical impossibility, and/or upon showing of good cause, an alternative to the Code is provided that conforms to the general intent and spirit of the Code. The Ponte Vedra Zoning and Adjustment Board may require such

conditions that will, in its judgement, substantially secure the same objectives of the standards or requirements so varied or modified.

a. A request for deviations to this Code, other than a Zoning Variance, which might otherwise be approved by the County Administrator, must be approved by the Ponte Vedra Zoning and Adjustment Board (PVZAB) if a Non-Zoning Variance is sought. Such Non-Zoning Variance shall be considered in conjunction with the application for Development Review.

b. Required Findings

The PVZAB shall not vary the requirements of any provision of this Code unless it makes a positive finding, based on substantial evidence, on each of the following:

1. There are practical difficulties in carrying out the strict letter of the regulation.

2. The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.

3. The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.

4. The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.

5. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

c. Imposition Of Conditions

In granting a Development approval involving a Non-Zoning Variance, the PVZAB may impose such conditions and restrictions upon the premises benefited by a Non-Zoning Variance as may be necessary to allow a positive finding to be made on any of the foregoing factors, or to minimize the injurious effect of the Non-Zoning Variance. One (1) or more findings shall be made in support of each condition.

4. Definition of Variance type table

	ZONING VARIANCE	NON-ZONING VARIANCE
1. Section III.B (Single Family Residential District)	X	
2. Section IV.B (Multiple Family District)	X	
3. Section V.B (Commercial District)	X	
4. Section VI.B (Recreational District)	X	
5. Section VII.B (Utility District)	X	
6. Section VIII.B (Non-conforming Structures)	X	
7. Section VIII.D (Building Restriction Lines)	X	
8. Section VIII.E (Development Plans)		X
9. Section VIII.F (except #10) (Buffer Areas)	X	
10. Section VIII.F (item #10) (Buffer Areas)		X

11. Section VIII.G (Corner Lots)	X	
12. Section VIII. H (Ocean Front Lots)	X	
13. Section VIII.I (Building Heights)	X	
14. Section VIII.I (Land Heights)	X	
15. Section VIII.J (Towers and Antennae)	X	
16. Section VIII.K (Attached Structures)	X	
17. Section VIII.L (Accessory Structures)	X	
18. Section VIII.M (Maximum Lot Coverage)	X	
19. Section VIII.N (Fences and Walls)	X	
20. Section VIII.O (Lagoon Bulkheads and Docks)	X	
21. Section VIII.P (Swimming Pools/Spas)	X	
22. Section VIII.Q (Ponte Vedra Overlay District)		X
23. Section VIII.R (Private Roadways and Road Access Easements)		X
24. Section IX.A (Off-street Parking and Loading, Location of Facilities)		X
25. Section IX.B (Design Standards)	X	
26. Section IX.C (Off-street Parking-Minimum Requirements)	X	
27. Section IX.D (Off-street Parking-General Provisions)	X	
28. Section X.A-F (Signs)	X	
29. Any Section in the LDC that is not specified in these regulations		X

5. General

   a. In the event that the PVZAB denies a request for a Variance, the applicant may apply to the PVZAB for a rehearing of such denial within fourteen (14) working days after the conclusion of the original public hearing before the PVZAB on such application. The request for rehearing shall set forth the basis for such request, including any materials that were not presented at the original hearing. The filing of such request for rehearing shall stay, until the PVZAB has taken final action on the request for rehearing, the requirements of Subsection J. hereof with respect to appeals to the board of County commissioners of any determination of the PVZAB.

   b. If the development permitted by a Variance has not commenced within one (1) year the Variance will be terminated. At the request of the applicant, the PVZAB may approve an extension of time over one (1) year.

   c. Whenever the PVZAB has made a final determination denying an application for a Variance, no further application for the same Variance shall be filed for a period of one (1) year from the date of such action. If there is a significant change of circumstances the applicant may request, in writing to the PVZAB, a rehearing. The PVZAB shall determine if a new application for a Variance shall be allowed before the one (1) year period expires.

6. Public Hearing.

   A public hearing shall be held by the PVZAB to consider an application for a Variance on the date specified by published notice. Notice of such public hearing shall be made as provided in Article 9.06 of the Land Development Code and any party shall be heard in person or by agent or attorney.

K. Appeals and Recommendations; New Circumstances.

Any affected or aggrieved person may appeal any determination of the PVZAB to the Board of County Commissioners, under the authority of this Ordinance, by filing such appeal in writing with the Planning Division within thirty (30) days of any such determination or recommendation.

Any affected or aggrieved person may contest a recommendation of the PVZAB to the Board of County Commissioners, under authority of this Ordinance, by filing a decision to contest, in writing with the Planning Division within thirty (30) days of any such recommendation. The contest shall be heard concurrently with the recommendation. If substantially new circumstances are presented at the appeal or after a PVZAB recommendation for approval or denial has been made, the Board of County Commissioners shall return the matter to the PVZAB for additional consideration, unless the Board of County Commissioners finds that returning the matter for rehearing would not promote efficiency and due process.

L. Fees.

Each public application for action pursuant to these Regulations shall be accompanied by a fee, payable to St. Johns County that is established by St. Johns County Board of County Commissioners resolution for similar actions in those areas of the County outside the Ponte Vedra Zoning District.

M. Vested Rights.

Vested rights shall be recognized in accordance with Florida Law. Applicants shall have the burden of demonstrating vested rights. Determination of vested rights shall be made in accordance with the provisions of Article 10.02 of the Land Development Code.

N. Management of Applications among Multiple Boards.

1. When a board or agency has made a decision or finding on an application, and the application or companion application will later appear before the Board of County Commissioners, its approval or approval with conditions shall constitute a recommendation to the Board of County Commissioners. The Board of County Commissioners may choose to accept the decision or finding of the board or agency, make a binding decision or finding of its own, or send the application back to the board or agency for a decision consistent with the Board of County Commissioners findings or suggestions.

2. This section does not impose any additional review standards on applications or board or agency decisions as set forth in this Code