

**SECTION 8A.0. VILANO BEACH TOWN CENTER
ECONOMIC REDEVELOPMENT RESIDENTIAL UNIT EXCHANGE PROGRAM**

Section 8A.01 Introduction

The Residential Exchange Program is a voluntary program that allows a property owner within the Vilano Beach Town Center Mixed Use District to achieve an increase in residential density by purchasing density (Receiving Property) from another property owner within the District (Sending Property). The owner of a Sending property records an easement on the property, which limits development on the property and allows those development rights to be sold. The owner of a Receiving Property may purchase those rights and record those rights on the Receiving Property through a deed from the owner of a Sending Property. The Sending Property/Receiving Property must meet the requirement of Section 3.10.09 of the Land Development Code by receiving a Certificate of Development Rights. In the event that the boundaries of the Vilano Beach Town Center District were to be expanded, newly included properties would not be able to sell or transfer development rights under this program to other Receiving Properties. However, any newly included properties would be allowed to receive additional development rights from a qualified Sending Property.

Section 8A.02 General Information

- A. Applications are submitted to the Growth Management Department for processing.

Address: 4040 Lewis Speedway, St. Augustine, FL 32084

Phone: 904-209-0675

Fax: 904-209-0576

Email: plandept@sjcfl.us

- B. Fees: \$56.00 per hour

Section 8A.03 Application Process for Sending Property or Receiving Property

A complete application package must be received in order to receive a Certificate of Development Rights which is a determination of available residential density on the Sending Property/Receiving Property. Any incomplete applications will not be accepted. The following is a list of the items required:

- A. One original completed Application.
- B. Recent Survey of the Sending/Receiving property.
- C. Legal description of the Sending/Receiving property.
- D. Evidence of title of the Sending/Receiving property.
- E. Owner's Authorization if submitted by someone other than the property owner.
- F. For Sending Properties, the proposed grant of easement to St. Johns County creating the development limitations for the property (the Economic Redevelopment Residential Units Exchange Program Easement). The easement will limit the number of dwelling units able to be constructed or maintained on the property.

- G. For Receiving Properties, the recorded deed conveying development rights from a Sending Property to the subject Receiving property.

Section 8A.04 Review Process

- A. Once the application is deemed complete the above items will be routed for determination of compliance with the Land Development Code. The review time is ten working days.
- B. Upon completion of the review the applicant will be notified:
 - 1. That the property does not have Eligible Residential Rights to Transfer; or,
 - 2. That there are comments/questions that must be addressed; or,
 - 3. A Certificate of Development Rights will be issued.
- C. If a resubmittal is required to address comments/questions it will be routed within a five working day review time. This will repeat until such time a Certificate of Development Rights may be issued.

Section 8A.05 Transfer of Development Rights

Prior to approval of Construction Plans, the Receiving Property owner/developer must demonstrate that the Economic Redevelopment Residential Units Exchange program purchase is of record and that the units are available for transfer.

- A. Notification to the Growth Management Department that an agreement has been reached between the seller and the buyer of the development rights.
- B. Submittal of a copy of the recorded Economic Redevelopment Residential Units Exchange Program Easement.
- C. Submittal of a copy of the recorded deed transferring development rights.

Section 8A.06 Appeals

An applicant or adversely affected person may appeal any decision to the Board of County Commissioners within thirty (30) days of receipt of approval or denial of a Certificate of Development Rights.