

CITY OF ST. AUGUSTINE CITY COMMISSION
City Commission Meeting
MONDAY, AUGUST 11, 2025 - 5:00 PM
ALCAZAR ROOM

1. CALL TO ORDER

- ◆ Roll Call
- ◆ Moment of Silence and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

- ◆ Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

4. PUBLIC COMMENTS FOR GENERAL PUBLIC COMMENTS OR FOR AGENDA ITEMS NOT REQUIRING A SEPARATE PUBLIC HEARING

- ◆ 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

7. GENERAL PUBLIC PRESENTATIONS, ITEMS OF GREAT PUBLIC IMPORTANCE, AND OTHER ITEMS REQUIRING PUBLIC HEARINGS

(PRESENTATIONS (MAXIMUM OF 10 MINUTES PER PRESENTATION)). PRESENTATIONS FOR COMMISSION MEETINGS MUST BE PRESENTED TO THE CITY MANAGER FOR APPROVAL NO LATER THAN TEN (10) WORKING DAYS PRIOR TO THE NEXT CITY COMMISSION MEETING. A PRESENTATION SUPPORT SERVICES REQUEST (AVAILABLE ON THE CITY'S WEBSITE) MUST ACCOMPANY ALL PRESENTATIONS.

- 7.A. General Public Presentations**
- 7.B. Items of Great Public Importance**
- 7.C. Other Items Requiring Public Hearing**

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

8.A.1. Ordinance 2025-21: Amends Chapter 28 of the Zoning Code to include a new section in Supplementary Regulations related to Lot Grading and amends definitions and Chapter 11 Conservation Overlay Zone Development to be consistent with the new section. *(A. Skinner, Planning and Building Director)*

8.B. Ordinances - First Reading (only if required by law)

8.C. Resolutions - Public Hearing (only if required by law)

8.C.1. Resolution 2025-27: Designates the 400 and 404 Riberia Street parcels as a Brownfield Area. *(J.P. Steinmetz, Outside Counsel for the City of St. Augustine)*

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

9.A.1. Ordinance 2025-22: Amends Sections 24-31 of the City Code to increase illegal parking fines and Sections 24-46 to include franchise stops, transportation network company stops and controlled parking residential areas as unlawful places to stand, park in, or stop. *(R. Franklin, Assistant City Manager)*

9.B. Resolutions

9.B.1. Resolution 2025-29: Modifies and updates Resolution 2025-06 by establishing policies and procedures for the creation of the Environmental Impact Award. *(M. Wissel, Communications Director)*

10. STAFF REPORTS AND PRESENTATIONS

11. ITEMS BY CITY ATTORNEY

12. ITEMS BY CITY CLERK

12.A. The Ancient Olive Request for Use of the City Seal. *(D. Galambos, City Clerk)*

12.B. Open Positions on Boards and Committees. *(D. Galambos, City Clerk)*

13. ITEMS BY CITY MANAGER

14. ITEMS BY MAYOR AND COMMISSIONERS

15. ADJOURN

NOTICES: In accordance with Florida Statute 286.0105: "if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." ***In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone 904-825-1007; 1-800-955-8771 (TDB) or 1-800-955-8770 (V) via Florida Relay Services. The materials prepared and presented are part of the City's ongoing Florida Public Records and Government in the Sunshine compliance and are not intended to be relied upon or to reach investors or the trading markets.

CONSENT AGENDA -

- CA.1.** Preview of upcoming Commission meetings.
- CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON AUGUST 25, 2025:**
- Ordinance 2025-22: Amends the City Code to increase illegal parking fines and to include franchise stops, transportation network company stops and controlled parking residential areas as unlawful places to stand, park in, or stop.
- CA.3. Reminder of Upcoming Meetings:**
- August 25, 2025 5:00PM—Regular City Commission Meeting
 - August 28, 2025 9:00AM—City Commission Budget Workshop Meeting
 - August 29, 2025 9:00 AM—City Commission Budget Workshop Meeting (if necessary)
 - September 8, 2025 5:00PM—Regular City Commission Meeting
- CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:**
- June 23, 2025-Regular City Commission Meeting
 - July 14, 2025-Special City Commission Meeting
- CA.5. RELEASE OF LIEN FOR UNIT CONNECTION FEE MORTGAGE:**
- 2717 Usina Street—Stephen McAloon
- CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). NONE.**
- CA.7. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.**
- CA.8.** Quarterly Report: 3rd Quarter FY 2024-2025. *(I. Lopez, City Attorney)*
- CA.9.** Approval for Jacksonville Iceman to use the City Crest for a government employee appreciation event. *(M. Wissel, Communications Director)*

End Consent Agenda

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: July 31, 2025

RE: **Ordinance 2025-21 – Amending Chapter 28 the Zoning Code to Include a New Section in Supplementary Regulations related to Lot Grading, Amending Definitions and Amending Chapter 11 Conservation Overlay Zone Development to be Consistent with the New Section – Second Reading and Public Hearing**

The City Commission has directed staff to work with the city’s Citizen Boards to examine concerns related to development in low-lying and/or flood prone areas. This issue has become more of a concern recently with more frequent development applications proposing significant amounts of fill, higher than minimum finished floor elevations, and building techniques or design, such as on slab construction that minimizes the options to control drainage, runoff and water for residential development.

You may recall that several years ago the city did have an initiative with a “Building Code Task Force” that looked at this issue. This group recommended the adoption of a maximum impervious surface ratio (70% of the lot) in addition to the preexisting lot coverage limits, and the requirement for lot grading plans for new single-family development. These recommendations were adopted and are enforced through the city’s building permit process.

However, the Planning and Zoning Board (PZB) has recognized that these issues impact proposed development which includes infill development in older areas, redevelopment as properties are demolished and redeveloped with new proposals, and character defining features in our historic districts, historic neighborhoods and our entry corridors. As well as, on specific historic structures as property owners and others work to protect their “investment” in the city.

The city held a joint meeting with all three (3) citizen boards in December 2024 to give the Boards an opportunity to discuss these issues as an introduction to the topic. Subsequently, the PZB held its own workshops in February and April 2025 to specifically discuss this issue. At the February meeting staff was able to review current city projects, review current floodplain, CRS and building requirements, and discuss potential enforcement options with the Board.

Additionally, the PZB requested that staff hold a Public Workshop specifically so that the public can provide feedback and input on this issue. This Workshop was held in March. Those that attended included a mix of contractors as well as property owners. This workshop presentation is attached for your information.

Based on feedback from the Public Workshop, the several PZB meetings and internal staff review, the PZB made a positive recommendation on the proposed changes to the LDC to include a provision that addresses the need for fill for garages. The PZB also determined that the proposed changes were not more burdensome, and specifically determined that clarifying requirements, and providing development options is a relief to property owners.

City staff have worked diligently on drafting potential land development code language. Including holding another PZB Special Meeting on April 30th. The staff draft language focuses on the lot grading issue, which relates to fill and construction techniques and stormwater and master drainage plans.

The draft Chapter 28 language includes:

- Specific lot grading requirements and clarification that this would apply to 1 and 2 family dwellings that are exempt from the Stormwater code.
- Recognition that buildable lots are in different areas that may have different levels of existing conditions in the area or neighborhood related to stormwater controls. This creates a table that refers an applicant to certain standards based on the specific situation of a stormwater system in the specific subdivision.
- Establishing guidelines and clarifying grading plans, and
- Recognizing the importance of erosion control and low impact design.
- Workflow graphics are attached to help explain the process.

The draft Chapter 11 language includes:

- Includes changes to clarify certain conditions consistent with the proposed lot grading section.
- Workflow graphics are attached to help explain the process.

Additionally, the proposed Ordinance:

- provides the benefit of Incentivizing Low Impact Development (LID) Stormwater Techniques (i.e. rain barrels, living roofs, bio-swales, rain gardens and pervious pavement) by allowing applicants to surpass fill limitations on lots without a Master Grading Plan if they are willing to demonstrate a net benefit of storm water retention with engineered plans reviewed through the Civil Plan process within the Public Works/ Utilities using LID techniques.
- relieves applicants from Planning and Zoning Board review when a 25-buffer is retained or restored when a lot drains into jurisdictional wetlands.
- incentivizes shoreline modifications (i.e. bulkheads and seawalls) to be of compatible scale to adjacent shoreline modifications by relieving applicants from Planning and Zoning Board review when modifying or constructing a bulkhead that is of reasonable scale.
- incentivizes commercial and multi-family development with an approved storm water management system to create vibrant public spaces for pedestrian access to scenic vistas

and the waterfront by allowing the 25-buffer along jurisdictional wetlands to be reduced to provide such public spaces.

The City Commission reviewed and passed this ordinance on first reading at their July 28, 2025, meeting. The City Commission did discuss a spelling error and the need to clarify the definition of a “protective swale” these items have been addressed in the ordinance and are indicated in blue on pages 7 and 8.

Please place Ordinance 2025-21 on the City Commission August 11, 2025, agenda for second reading and public hearing. Also attached is the required Business Impact Statement for the ordinance, and a series of maps illustrating the low-lying areas around the city.

If you have any questions or require additional information, please do not hesitate to call me at (904) 209-4320 or email at askinner@citystaug.com. Or contact other staff members, Sarah Daugherty, Jessica Beach, Buddy Schauland or Ray Deschler.

Amy McClure Skinner, AICP
Director
Planning and Building Department

Ordinance 2025-21

Workflow Charts

Proposed Lot Grading Conditions Chart

<u>Category</u>	<u>Condition of Subdivision or Lot</u>	<u>Resulting Design Solution</u>
<u>1</u>	<u>Development on piers, pilings, or crawl space with no fill over six (6) inches regardless of lot condition. Allowing for fill for a garage up to a maximum of 500 sq ft. or garage space no larger than equal to 25% of the sf home lot coverage whichever is greater</u>	<u>No lot grading plan required.</u>
<u>2</u>	<u>Master planned with approved master drainage plan and master lot & block grading plan and/or part of a permitted stormwater management system</u>	<u>Show compliance with approved master plan(s) and/or permitted system. Grading must conform to any applicable drainage plan as part of the master plan and/or permitted stormwater management system.</u>
<u>3</u>	<u>Not Category 2 (not part of a common plan of development with an approved master drainage and/or lot grading plan or permitted drainage system). This could include some surface drainage with an outfall system and/or paved roadway access.</u>	<u>1. Direct drainage to an existing stormwater system, or roadside swale via drainage swales along lot lines or through gutters.</u> <u>2. If no roadside swale or stormwater system exists, then direct drainage to the road via lot line swales or gutters. In either case, positive drainage and no impacts to adjacent lots must be demonstrated.</u> <u>3. For cases where drainage to the street is not feasible, i.e. lots with no stormwater system access that partially or fully drain to the back of the lots (drainage types B and C), use of retention systems, swales and other Low Impact Development (LID) or Best Management Practices should be incorporated as appropriate.</u> <u>4. Lot grading should demonstrate a positive outfall and identify the receiving waters, stormwater system or outfall.</u>
<u>4</u>	<u>Not Category 2 (not part of a common plan of development with an approved master drainage and/or lot grading plan or permitted drainage system) and adjacent to natural wetland systems, waterways, canals, or bulkheads.</u>	<u>Grade lots based on guidelines, factoring in condition for abutting lots and using positive lot grading; direct drainage via side lot lines and roadway swales; drainage directed to surface waters shall be through a maintained or restored 25-buffer. Confirm no apparent downstream stormwater runoff impacts. Lots within Conservation Overlay Zones will also be reviewed by the requirements found in Chapter 11.</u>

Example Higher Regulatory Standards and Graphics

March 19, 2025, Public Workshop PowerPoint

City Maps Illustrating Low Lying Areas



Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of section 166.041(4), Florida Statutes. If one or more boxes are checked below under "Applicable Exemptions", this indicates that the City has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by section 166.041(4), Florida Statute will be provided in the "Business Impact Estimate" section below.

Proposed Ordinance Title/Reference:

Ordinance No.

ORDINANCE NO. 2025-21

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING AND UPDATING THE CODE OF ORDINANCES CHAPTER 28, ARTICLE I IN GENERAL, DEFINITIONS; ARTICLE IV SUPPLEMENTARY REGULATIONS, DIVISION I GENERALLY; CREATING SECTION 28-357 RESIDENTIAL LOT GRADING; AND AMENDING CHAPTER 11 ENVIRONMENTAL PROTECTION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

Applicable Exemptions:

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - ☐ Development orders and development permits, as those terms are defined in s. 163.3164, and, development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243, Florida Statutes;
 - ☐ Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality;
 - ☐ Sections 190.005 and 190.046, relating to statutory Community Development Districts;
 - ☐ Section 553.73, relating to the Florida Building Code; or
 - ☐ Section 633.202, relating to the Florida Fire Prevention Code.

Note: The City's provision of information in the Business Impact Estimate section below, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions above shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Section 166.041(4), Florida Statute, Sec. 166.0411, Fla. Stat., or any other relevant provision of law.

Business Impact Estimate:

- 1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

This ordinance adds a section to supplementary regulations clarifying and providing options for single family and duplex development related to lot grading and fill requirements. Amends definitions and environmental protection chapter of the land development code. The ordinance serves to help protect property owners as they develop in a more resilient manner.

- 2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of St. Augustine, if any:**

- (a) An estimate of direct compliance costs that businesses may reasonably incur;**
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and**
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.**

This ordinance provides potential relief to business owners along the waterfront by allowing a reduction in a required 25-foot natural buffer or the potential restoration of a 25-foot natural buffer if they provide public access to view sheds and the waterfront.

- 3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:**

It is estimated that less than 10 business owners will be impacted by this ordinance.

- 4. Additional information the governing body determines may be useful (if any):**

This ordinance addresses lot grading and fill requirements for single family and duplex development currently exempted from stormwater requirements. It clarifies requirements and options providing direction and relief from review by staff and the Planning and Zoning Board for certain types of applications meeting certain criteria.

ORDINANCE NO. 2025-21

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING AND UPDATING THE CODE OF ORDINANCES CHAPTER 28, ARTICLE I IN GENERAL, DEFINITIONS; ARTICLE IV SUPPLEMENTARY REGULATIONS, DIVISION I GENERALLY; CREATING SECTION 28-357 RESIDENTIAL LOT GRADING; AND AMENDING CHAPTER 11 ENVIRONMENTAL PROTECTION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

WHEREAS, Sections 163.3167 and 163.3177(1), Florida Statutes, requires the City of St. Augustine to maintain a Comprehensive Plan to guide the future development and growth of the city by providing the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements; and

WHEREAS, the City in its Conservation and Coastal Management Element sets out goals, objectives and policies to maintain and protect its environmental, historic and natural resources which: recognizes present need, reflects the Future Land Use Plan, and provides for identification, protection, restoration and enhancement of these resources; and

WHEREAS, the City is experiencing growth and new development activity that necessitates the recognition of the impacts of this activity on environmental, historic and natural resources as well as on adjacent properties as property owners strive to protect their investment and develop in a more resilient manner; and

WHEREAS, the City of St. Augustine is required by Section 163.3202, Florida Statutes, to adopt or amend and enforce land development regulations that are consistent with and implement the Comprehensive Plan, and that are combined and compiled into a single land

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development code for the city (the City of St. Augustine's Zoning Code is Chapter 28 of the Code of Ordinances including land development regulations for the provision of Supplementary Regulations and Chapter 11 Environmental Protection); and

WHEREAS, Section 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, a sustainable built environment that both preserves the City of St. Augustine's resources and is resilient to extreme weather events such as hurricanes, floods, and heatwaves is a priority of St. Augustine; and

WHEREAS, after review, the Planning and Zoning Board recommended approval of these amendments and updates and determined that these changes are no more burdensome or restrictive. The Planning and Zoning Board acting as the land planning agency for the city of St. Augustine determined at its July 16, 2025, special meeting that these changes provide clarity and additional options to property owners that are beneficial; and

WHEREAS, the City in amending the Land Development Code (LDC) provides the benefit of design solutions through the creation of a drainage hierarchy and associated solutions based on existing conditions and the sensitivity for floodplain and drainage impacts.

WHEREAS, the City in amending the Land Development Code (LDC) provides the benefit of incentivizing development techniques that are least impactful to the floodplain, (i.e. Piers/Pilings, or crawl spaces) by relieving single-family/duplex development of Lot Grading Plan review when these development techniques are employed.

WHEREAS, the City in amending the Land Development Code (LDC) provides a path for relief when unique circumstances make it so that following the Lot Grading requirements prevent the reasonable use of property through a variance process.

WHEREAS, the City Commission for the City of Saint Augustine finds that it is in the best interest of public health, safety and general welfare that the following amendments be adopted.

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

SECTION 1. ~~Chapter 28, Article I In General.~~ Chapter 28, Article I In General of the Code of the City of St. Augustine is amended as follows: [Note: ~~striketrough~~ language deleted, underline language added]:

Sec. 28-2. - Definitions.

“...

Impervious surface means those surfaces which do not absorb water. They consist of all buildings, parking areas, driveways, roads, sidewalks, any areas of concrete or asphalt and other surfaces not pervious to water. Including any hard surface that prevents or restricts the flow of water into the soil, **including pools.**

Impervious surface, on-lot, means the total amount of impervious surface which is present on a lot **as opposed to lot coverage limitations which are related to roofed area only.**

Impervious surface ratio means a measure of the intensity of land use which is determined by dividing the total area of all impervious surfaces on a site by **that portion of the lot landward of the Mean High-Water Line (MHWL).**

...”

SECTION 2. Amending Chapter 28, Article IV Supplementary Regulations, Creating Section 28-357. Chapter 28, Article IV Supplementary Regulations, Creating Section 28-357 of the Code of the City of St. Augustine is hereby added as follows: [Note: ~~striketrough~~ language deleted, underline language added]

“Sec. 28-357. - Residential Lot Grading.

Introduction. The City of St. Augustine contains many platted lots that were recorded prior to local and state agencies requiring storm water management. In addition, the platting did not always take into consideration the natural geographic and drainage conditions affecting each lot. Typically, there was no master drainage infrastructure or master grading plan to guide the platting that occurred. As a result, applicants that wish to build homes now must deal with the existing topographic conditions on the lot and the drainage patterns, limitations or constraints that exist in

the vicinity of the lot. The City of St. Augustine Lot Grading section of the code attempts to provide builders with regulatory guidance in dealing with lot grading challenges and issues. More contemporary subdivisions and lots that have been permitted in compliance with current governmental drainage and grading regulations may have more specific considerations based on the specific subdivision plat or development plan.

(1) Residential Lot Grading Submittal Procedure

Purpose and Intent. The residential lot grading requirements ensure stormwater impact from applicable residential development is respectful of existing development. This requirement is for single-family development excluded by Sec. 29-26. - Standards and criteria (a.) of Chapter 29 Stormwater Management of the Land Development Code (LDC).

a. Residential Lot Grading Plan Requirements

To achieve these objectives, a residential lot grading plan shall be required to accompany any application for single-family or duplex residential structures constructed in subdivisions platted on or before July 22, 1991, and containing impervious area in excess of five hundred (500) square feet. The proposed grading plan shall be drawn to a legible conventional engineering scale (1-inch = 20 feet, smallest scale accepted) using the site plan and survey as a base map.

Lot Grading Plans should include the following information:

1. North arrow and bar scale.
2. Show proposed Lot Grading Type (A, B, C) as applicable [provided by the Federal Housing Administration (FHA)].
3. Spot elevations of the existing parcel in question—shown on a 25' grid.
4. Spot elevations on all adjacent properties - 10-feet from the boundaries of the subject property at approximately 25-foot intervals.
5. Spot elevations at the crown of any roadway abutting the property.
6. FEMA Flood Zones and BFE.
7. Limits of impervious surfaces (patios, pool decks, driveways, etc.).
8. Limits of fill.
9. Jurisdictional lines (wetlands or conservation easements) and 25-foot buffer as defined in Chapter 11 of the COSA Land Development Code (LDC).
10. Mean High Water
11. Proposed erosion and sediment control measures during construction and proposed weekly maintenance of silt fences and other erosion control measures during construction.
12. Necessary easements and rights of way.

13. Location and use of existing structure(s) and proposed structure(s) with Finish Floor Elevation (FFE) in NAVD88.
14. Swale locations with typical cross-sections of all proposed swales and of all significant slopes, including the continuation of such features on adjacent properties or right-of-way (exceeding 4:1).
15. Bulkhead/ retaining wall locations with Top of Wall (TOW) and Bottom of Wall (BOW) elevations in NAVD88 including cross-sections stamped and signed by an engineer.

- b. A separate Right-of-Way Use Permit is required for any work on City right-of-way or property.

(2) General Lot Grading Conditions

Each lot located within the City will have existing conditions associated with it. There may be design and permitting activities that would also have an impact on the lot. A drainage hierarchy exists which will determine the extent to which an applicant will be required to gather survey, drainage and design information for a lot. Each applicant should consider this hierarchy and the implications that result from the actual field and permitted conditions for the lot. These guidelines and this hierarchy cannot cover all possible site conditions to be encountered in the City.

Each applicant must determine the condition and situation that a lot is subject to or the closest existing condition to a defined category for the subject lot in the below chart that would apply to the property, which shall be the basis for the lot grading application. This can be determined using the following Lot Grading Conditions chart:

Lot Grading Conditions Chart

<u>Category</u>	<u>Condition of Subdivision or Lot</u>	<u>Resulting Design Solution</u>
<u>1</u>	<u>Development on piers, pilings, or crawl space with no fill over six (6) inches regardless of lot condition. Allowing for fill for a garage up to a maximum of 500 sq ft. or garage space no larger than equal to 25% of the sf home lot coverage whichever is greater</u>	<u>No lot grading plan required.</u>
<u>2</u>	<u>Master planned with approved master drainage plan and master lot & block grading plan and/or</u>	<u>Show compliance with approved master plan(s) and/or permitted system. Grading must conform to any applicable drainage plan as part of the</u>

	<u>part of a permitted stormwater management system</u>	<u>master plan and/or permitted stormwater management system.</u>
<u>3</u>	<u>Not Category 2 (not part of a common plan of development with an approved master drainage and/or lot grading plan or permitted drainage system). This could include some surface drainage with an outfall system and/or paved roadway access.</u>	<u>1. Direct drainage to an existing stormwater system, or roadside swale via drainage swales along lot lines or through gutters.</u> <u>2. If no roadside swale or stormwater system exists, then direct drainage to the road via lot line swales or gutters. In either case, positive drainage and no impacts to adjacent lots must be demonstrated.</u> <u>3. For cases where drainage to the street is not feasible, i.e. lots with no stormwater system access that partially or fully drain to the back of the lots (drainage types B and C), use of retention systems, swales and other Low Impact Development (LID) or Best Management Practices should be incorporated as appropriate.</u> <u>4. Lot grading should demonstrate a positive outfall and identify the receiving waters, stormwater system or outfall.</u>
<u>4</u>	<u>Not Category 2 (not part of a common plan of development with an approved master drainage and/or lot grading plan or permitted drainage system) and adjacent to natural wetland systems, waterways, canals, or bulkheads.</u>	<u>Grade lots based on guidelines, factoring in condition for abutting lots and using positive lot grading; direct drainage via side lot lines and roadway swales; drainage directed to surface waters shall be through a maintained or restored 25-buffer. Confirm no apparent downstream stormwater runoff impacts. Lots within Conservation Overlay Zones will also be reviewed by the requirements found in Chapter 11.</u>

(3) Lot Grading and Drainage Guidelines

a. Swales

Swale Types:

Conveyance Swales (those with a positive slope to an outfall or discharge point for drainage) shall be the preferred method for conveying stormwater runoff from residential lots to an appropriate outfall or discharge point such as public rights-of-way or a stormwater management area.

Retention swales (those that are essentially flat and do not provide drainage, they percolate runoff water) are only allowed when onsite storage of water is required.

Protective swales shall be installed on all lots where the existing drainage flow pattern is directed would flow toward the proposed dwelling. The protective swale should encourage water to flow around the new structure. The protective swale should generally function as a “conveyance swale” although some “retention” may be acceptable in limited areas.

Swales shall be constructed using the following guidelines:

1. The preferred side slopes should be at least 4:1 (horizontal: vertical), however under no circumstances be steeper than 3:1 and only with City approval
2. Minimum desired (when feasible) depth of 1 foot measured from the swale bottom to the minimum top of bank elevation.
3. Conveyance swales shall be placed alongside property lines.
4. Protective swales must be placed between the structure and the drainage flow pattern directed towards the structure.
5. Sod all swales from top of slope to top of slope. Maintain and water sod until root system is established.
6. When possible, the lot line will be the centerline of the protective side lot drainage swales.

b. Retaining walls/Bulkheads and related Wingwalls/Floodwalls

Definitions:

Bulkheads are structural in nature and their primary purpose is to provide shoreline protection from waves while retaining upland soil.

Wingwalls are structural elements that extend from a retaining wall or bulkhead. Its primary function is to retain earth and prevent erosion and/or to support the main structure.

Retaining walls are structural in nature and their primary purpose is to hold back earth that would otherwise be unstable and prone to failure. There may be a significant risk to public health, safety and welfare if a retaining wall is improperly constructed.

Floodwalls are structural in nature and their primary purpose is to prevent encroachment of floodwaters.

Landscape planters are decorative in nature and its primary purpose is to elevate a small amount of earth for a landscape planting bed. An elevated bed for a home vegetable garden (non-commercial) or a "tree well" is considered a Landscape Planter. A landscape planter cannot exceed 30 inches or will be considered a retaining wall.

Retaining walls/Bulkheads and related Wingwalls/Floodwalls shall be constructed using the following guidelines:

1. All bulkheads, retaining walls and flood walls shall be designed, signed and sealed by a registered design professional in the State of Florida.
2. All Bulkheads/Retaining walls/Flood walls placed within Conservation Overlay Zones 1 or 2 shall be reviewed per Section 11-28 to determine if Planning and Zoning Board approval is required.
3. Retaining walls will be no closer than three (3) feet from any property line and cannot impede the proposed drainage flow pattern.
4. Retaining walls are limited to a height of three (3) feet which is measured as the distance between the Top of Wall (TOW) and Bottom of Wall (BOW) elevations.
5. Floodwalls must be designed to allow a minimum of thirty (30) percent of the lot outside of the floodwall. Floodwall height and setbacks must meet fence requirements in Section 28-331.
6. Wingwalls are limited in length to what is required to support the function of the retaining wall or bulkhead by a registered design professional in the State of Florida.

Commented [SD1]: Possible wingwall language?

- c. Driveways and other impervious materials must be a minimum of three (3) feet from any property line except for points of ingress/egress.
- d. Maintenance of fill and erosion control measures

Erosion control associated with lot grading plans shall meet the minimum standards mandated by the State of Florida and the National Pollutant Discharge Elimination System within the City. Approved Best Management Practices (BMP) shall be employed during construction. Reference the Florida Department of Environmental Protection's Florida Development Manual, and Florida Erosion and Sediment Control Inspector's Manual or most recent equivalent. The Florida Erosion and Sediment Control Inspector's Manual is available online.

Maintenance of erosion control and fill shall be presumed to be in disrepair if exposed soil or fill are not contained onsite impacting adjacent properties, roadways, or waterways.

- e. Low Impact Development (LID) Stormwater Techniques
Stormwater is recommended to be incorporated into the overall design of the project as amenities. The goal of encouraging the use of these mechanisms is to reduce stormwater runoff, capture contaminants closer to the source and reduce the use of

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potable water for irrigation and grey water activities. The below list are options other options based on BMP may also be used as demonstrated in the required grading plan:

1. Raised pier construction for homes (allowing for movement of stormwater and additional infiltration area)
2. Rainwater harvesting (rain barrels, underground cisterns, and similar to assist in water conservation)
3. Green roofs (Living Roof)
4. Bio-swales
5. Rain gardens
6. Pervious pavement (pervious concrete, pervious pavers, and/or other pervious pavements)

*(4) Lots **With** an Approved Master Grading Plan*

The Proposed Lot Grading Plan shall be submitted for review. The engineering guidelines provide illustrations of the standard Federal Housing Administration (FHA) types A, B, and C drainage. A, B, and C drainage types should match approved stormwater plans in Category 2 of the Lot Grading Conditions Chart. The builder shall propose lot grading and a finished floor elevation consistent with the approved Master Lot Grading Plan. Variances may be requested for requirements of the Lot Grading Plan according to Section 28-29 that are outside of the scope of the Master Lot Grading Plan.

*(5) Lots **Without** an Approved Master Grading Plan*

a. Types of Lot Drainage

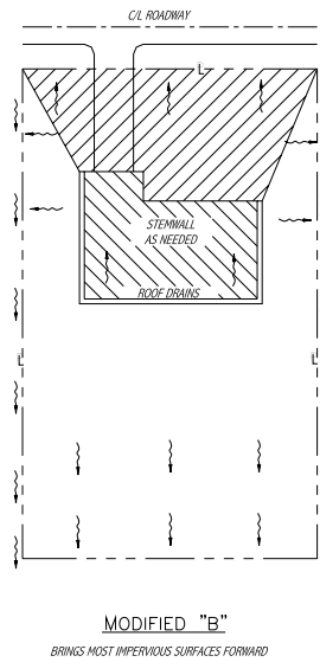
In Category 3-4 of the Lot Grading Conditions Chart, FHA A, B, and C drainage types should match the historic or natural drainage pattern except for the below exemption.

1. FHA Type C drainage is discouraged on lots in Category 3 of the Lot Grading Conditions Chart when the rear of the lot does not have sufficient outfall or discharge points. This is because many of these lots trap water and exacerbate existing nuisance conditions. Type “C” lot with no drainage outfall or discharge point will require stem wall, pier, pile, walkout or similar construction, and shall have grading and drainage plans prepared by a registered design professional in the State of Florida, demonstrating no impacts to neighboring properties or can provide a “Modified Type B” as an exemption from keeping the historic or natural drainage pattern.
2. A “Modified Type B” drainage type with gutters directing roof drainage to the front of the lot, and ultimately to the roadside swale, is the preferred method of dealing with lots that slope away from a street where a standard FHA Type “B” lot is not

practical. A modified Type "B" lot with no drainage outfall or discharge point will require stem wall, pier, pile, walkout or similar construction.

- (a) The modified "B" grading shall have at least the impervious roof area of the house, driveway and immediate front yard brought forward to the public right-of-way.
- (b) The grading transitions by forming a wedge from the foundation of the home to the corners of the lot.
- (c) In order to ensure that the entire impervious portion of the house drains to the front, roof drains are required over the entire house, manifolded to collection pipes that drain forward with positive outfall to the public right-of-way.

Federal Housing Administration (FHA) Modified "B" Drainage Illustration

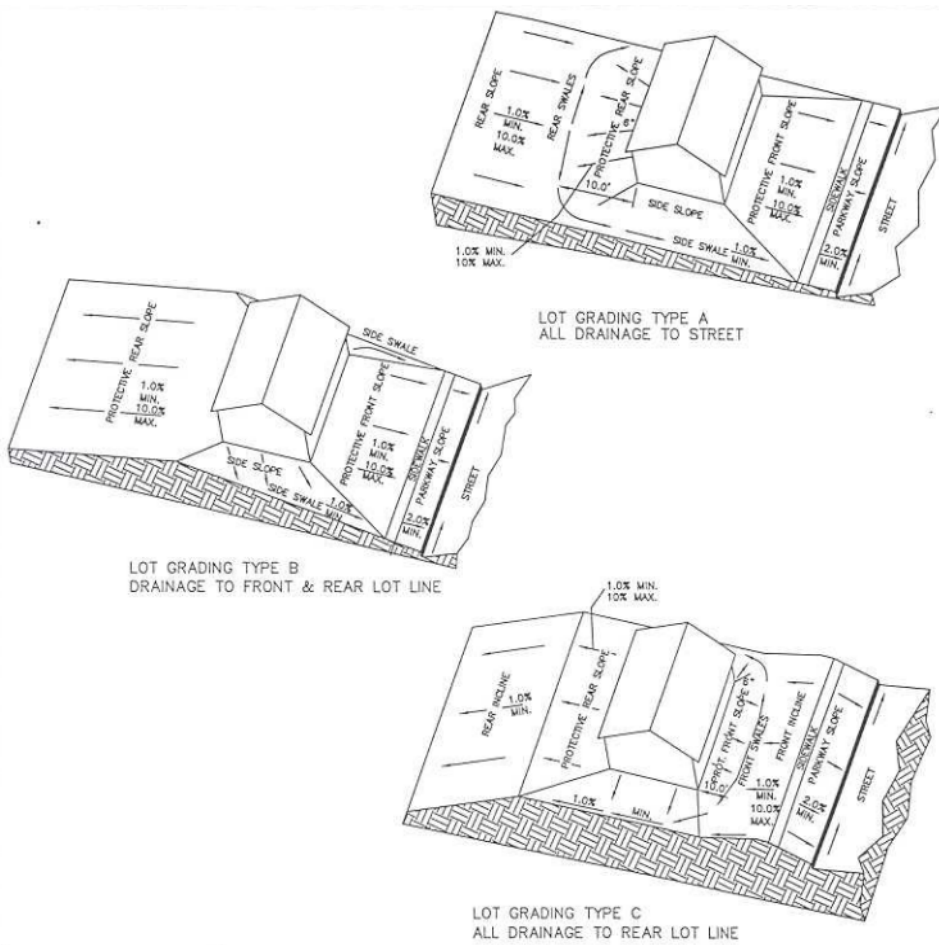


b. Fill requirements:

- 1. The maximum elevation of the fill on any lot shall be the lesser of a maximum of one (1) foot above the highest adjacent grade or 0.5 feet above the current base flood elevation of the property based on the current FEMA Flood Insurance Rate Map.

2. Fill within stem-wall foundations shall be allowed to exceed the base flood elevation as necessary.
 3. The grade shall fall to a minimum of 6 inches above existing or historic grade within the first 10 feet. The final grade along the property boundaries shall match that of the adjacent lot.
 4. Lots shall be graded with a minimum slope of 1% (1 ft/ 100ft) in accordance with FHA Type A, B, or C grading pattern.
- c. Maximum Impervious Surface Ratio (ISR):
There shall be a maximum impervious surface ratio (ISR) of seventy (70) percent of the lot size for all single-family residential dwelling and duplex development regardless of the zoning district, except as established within the historic preservation districts and not within any master planned communities.
- d. For development not in an approved master grading plan that does not meet the above a-c requirements, engineered plans would need to be submitted through the Utilities/Public Works Civil Site Plan review that demonstrates that the use of Low Impact Development (LID) Stormwater Techniques with a net benefit in storm water retention.
- e. Variances may be requested according to Section 28-29.

Federal Housing Administration (FHA) Drainage Illustrations Types "A", "B", and "C"



...

Secs. 28-~~357358~~—28-365. – Reserved”

SECTION 3. Amending Chapter 11, Article II Conservation Overlay Zone Development, Amending Sections 11-28 and 11-29. Chapter 11, Article II Conservation Overlay Zone Development, Amending Sections 11-28 and 11-29 of the Code of the City of St. Augustine is hereby amended as follows: [Note: ~~strike through~~ language deleted, underline language added]

“...

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.
- (b) The planning and building division may issue permits in Conservation Overlay Zone 2 for:
 - 1. ~~a~~Additions to existing structures, for construction of new secondary structures, such as fences, driveways, decks, patios, greenhouses, garages and sheds, and use permits for uses otherwise permitted to be conducted in these structures located in Conservation Overlay Zone 2 when:
 - a. ~~n~~No drainage into the ~~marsh jurisdictional wetlands~~ is proposed without a maintained or restored 25-foot buffer,
 - b. ~~n~~No significant alteration of surface water hydrology will occur through the placement of fill, shoreline modification or otherwise, and
 - c. ~~n~~Native plant materials are preserved or replaced.
 - 2. ~~The planning and building division may issue permits to~~The construction of new primary structures located in Conservation Overlay Zone 2 when the above conditions are met and when:
 - a. ~~t~~The subject property already contains a seawall, bulkhead or rip rap shoreline, or
 - b. ~~i~~s located within one hundred fifty (150) feet of existing development and the primary structure is located no closer to the marsh edge or to the mean high water line than are adjacent primary structures.
 - c. In addition, such additions and new structures may not exceed the lesser of seventy-five (75) feet or seventy-five (75) percent of the lot width.

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3. The construction or modification of a bulkhead in Conservation Overlay Zone 2 when all adjacent waterfront properties have an existing bulkhead and either of the following conditions are met:

- a. The Top of Wall (TOW) elevation of the new or modified bulkhead does not exceed seven (7) feet NAVD88, or
- b. The Top of Wall (TOW) elevation does not exceed the lowest TOW elevation of any adjacent bulkhead, with the highest allowable TOW elevation of ten (10) feet NAVD88.

- (c) The planning and building division may issue permits for structures and uses otherwise permitted and located within Conservation Overlay Zone 3 provided that all healthy significant trees are retained on the site.
- (d) Removal of a significant tree shall be approved by the planning and zoning board. All significant trees removed shall be replaced in accordance with the requirements of chapter 25.

...

Sec. 11-29. Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for ~~such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and~~ related uses such as fishing piers and catwalks, boardwalks, boat docks, ~~boathouses~~, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to avoid impacts to adjacent property, eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent properties or natural systems by either individual or cumulative effect and consistent with the purpose of Conservation Overlay Zone 2 to protect the functional integrity of Zone 1 and to protect Zone 3 from extreme high-water conditions. At no time shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line, which may be the mean high-water line or wetlands jurisdictional line) twenty-five (25) feet, measured in width perpendicular to the most restrictive jurisdictional line, in Conservation Overlay Zone 2 shall remain undeveloped except as provided in

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subsections (1)—(4) of this subsection. If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent **properties**, salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

- (1) Pruning vegetation to retain or create a reasonable view. Ground cover and shrub vegetation to a height of thirty-six (36) inches should be retained.
- (2) A maximum of fifty (50) percent of the basal area of trees, and a maximum of fifty (50) percent of the total number of saplings, may be removed for any purpose in a twenty-year period. A healthy, well-distributed stand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native, low maintenance vegetation is permitted to maintain the fifty (50) percent level.
- (3) Dead, diseased, unsafe, or fallen trees may be removed.
- (4) Bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the total area calculation of the buffer). These structures must demonstrate that they are of a reasonable, compatible scale to similar structures in the neighboring area. Structures in Conservation Overlay Zone 2 that are connected to adjacent structures in Zones 1 or 3 shall be sized relative to that adjacent structure and be designed so as to minimize off-site visual and environmental impacts. The applicant will present any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.
- (5) For commercial properties with an approved storm water management system, the required 25-foot buffer can be reduced to provide public access to vistas, scenic opportunities and the waterfront which are determined to benefit the public as a whole as articulated in the Comprehensive Plan to encourage access to the water.

Commented [SD2]: Should we beef this up with something from the vision plan or comp plan about vibrant communities or walkability or something to that effect?

Restoration plan(s) shall be developed to achieve the fifty (50) percent criteria above for those sites already disturbed. If the altered shoreline is bulk-headed, softening of this hardened shoreline with riprap, environmentally engineered materials or other techniques to soften wave energies and promote vegetation is encouraged. Should a softening effort be employed, a reduction in the twenty-five (25) feet buffer may be permitted.

(c) The following information shall be provided and Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:

- (1) Site specific conditions.
- (2) The site's relationship to adjacent properties including parcel and existing grade elevations which may include a lot grading plan, bodies of water and surrounding conservation zones.
- (3) Natural and proposed drainage patterns.
- (4) Effect of point and nonpoint discharge in the marine environment.
- (5) Proposed soil stabilization and erosion control methods.
- (6) Impact on floodplain including general impacts related to flood management or fill.
- (7) Impact of development on vegetative and animal communities.
- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.
- (9) Effect of shade on vegetation and shellfish.
- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.
- (11) Impact of development on shoreline by linear feet and percent of site.
- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.
- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.
- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.
- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)
- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

Commented [SD3]: Maybe add including the lot grading plan reviewed by staff?

- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed eight (8) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed eight (8) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.
- (d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover or cause the removal of significant trees or impact adjacent parcels through the placement of fill. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation. Limitations may also be imposed to protect against impacts to adjacent or nearby parcels related to the placement of fill.
- (1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:
- a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
 - b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
 - c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
 - d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
 - e. Whether the tree has been designated a significant tree.
 - f. Impact upon the urban and natural environment, including:

1. Ground and surface water stabilization.
 2. Water quality and aquifer recharge.
 3. Ecological impacts.
 4. Noise pollution.
 5. Air movement.
 6. Air quality.
 7. Wildlife habitat.
- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.
- (e) Issuance of permit. The planning and building division shall issue the removal permit for trees not identified as significant trees under section 11-27 unless, upon consideration of the criteria set forth above, it finds any of the following will result:
- (1) That the property owner or agent will not be unreasonably affected in shifting the location of the proposed structure, building or improvement, which shift will maintain the existence of the subject trees and still permit construction of such building or improvement on the site.
 - (2) That the property owner or agent will not be unreasonably affected in modifying the design of the proposed structure, building or other improvement, which modification will maintain the existence of the trees proposed to be removed and still permit construction substantially similar to that originally proposed.
 - (3) That the removal of the subject trees will have a substantial adverse impact on the urban and natural environment.
 - (4) That the subject trees are significant trees and removal must be reviewed by the planning and zoning board.

...”

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

SECTION 6. This ordinance shall be effective ten (10) days after passage, pursuant to s. 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2025.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

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March 19, 2025, Public Workshop PowerPoint



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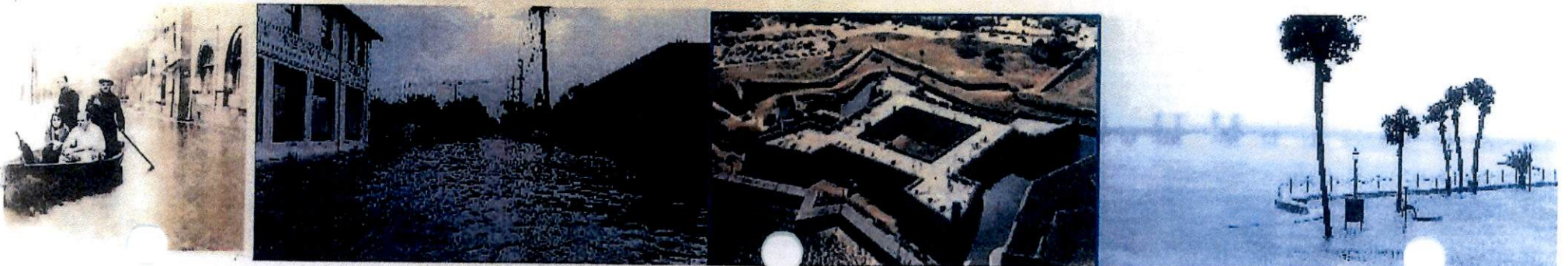
City of St. Augustine

Resiliency and Building Techniques

Public Workshop

March 19, 2025

Planning and Building Department



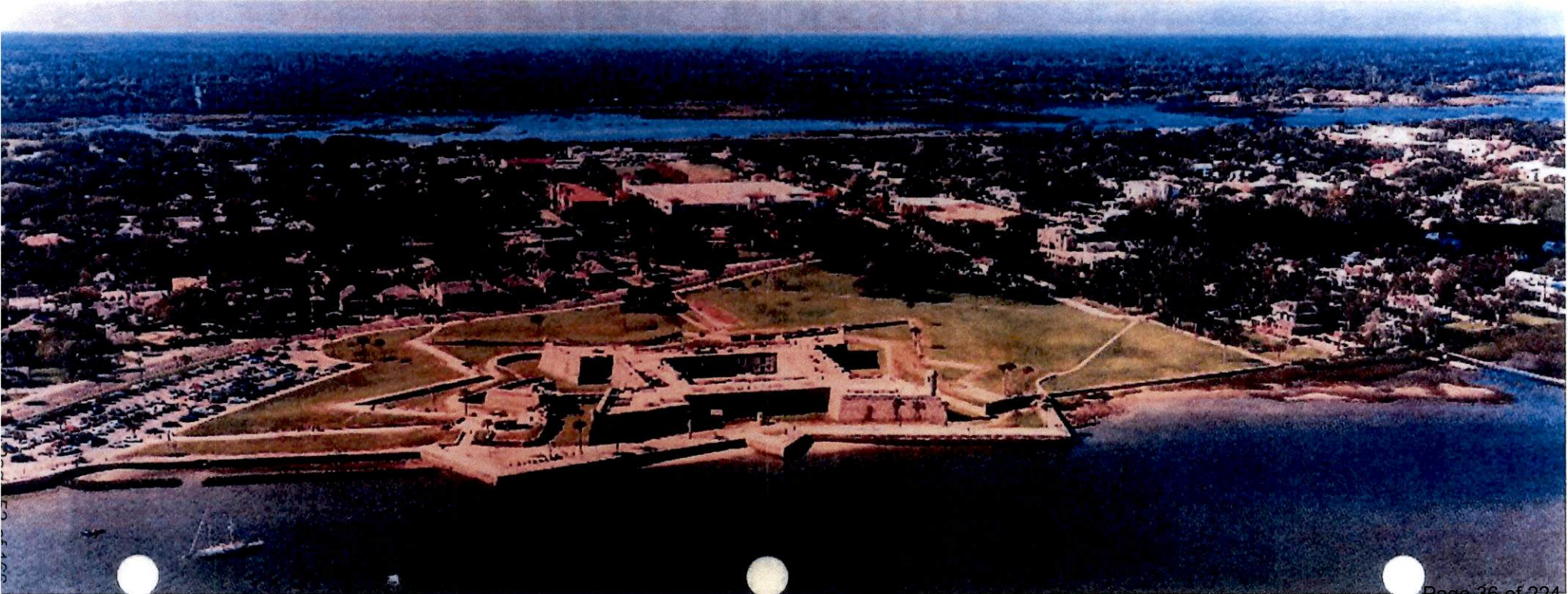


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Presentation Outline

- ❖ Why do we flood? A look at our challenges...
- ❖ Building Techniques
- ❖ Policy Options
- ❖ Design Techniques





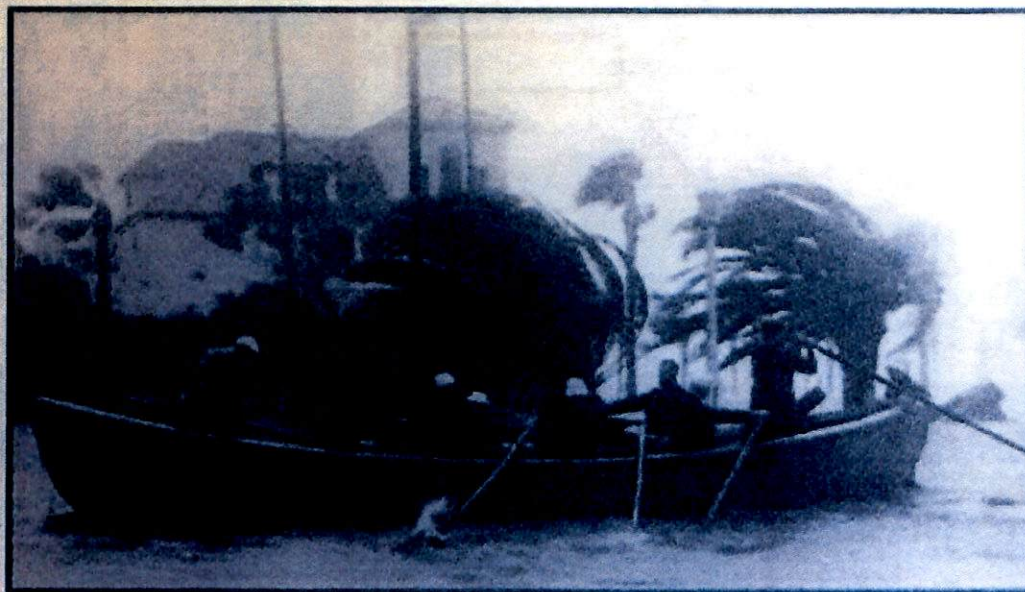
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Why Do We Flood ?

Flooding is not new to the City



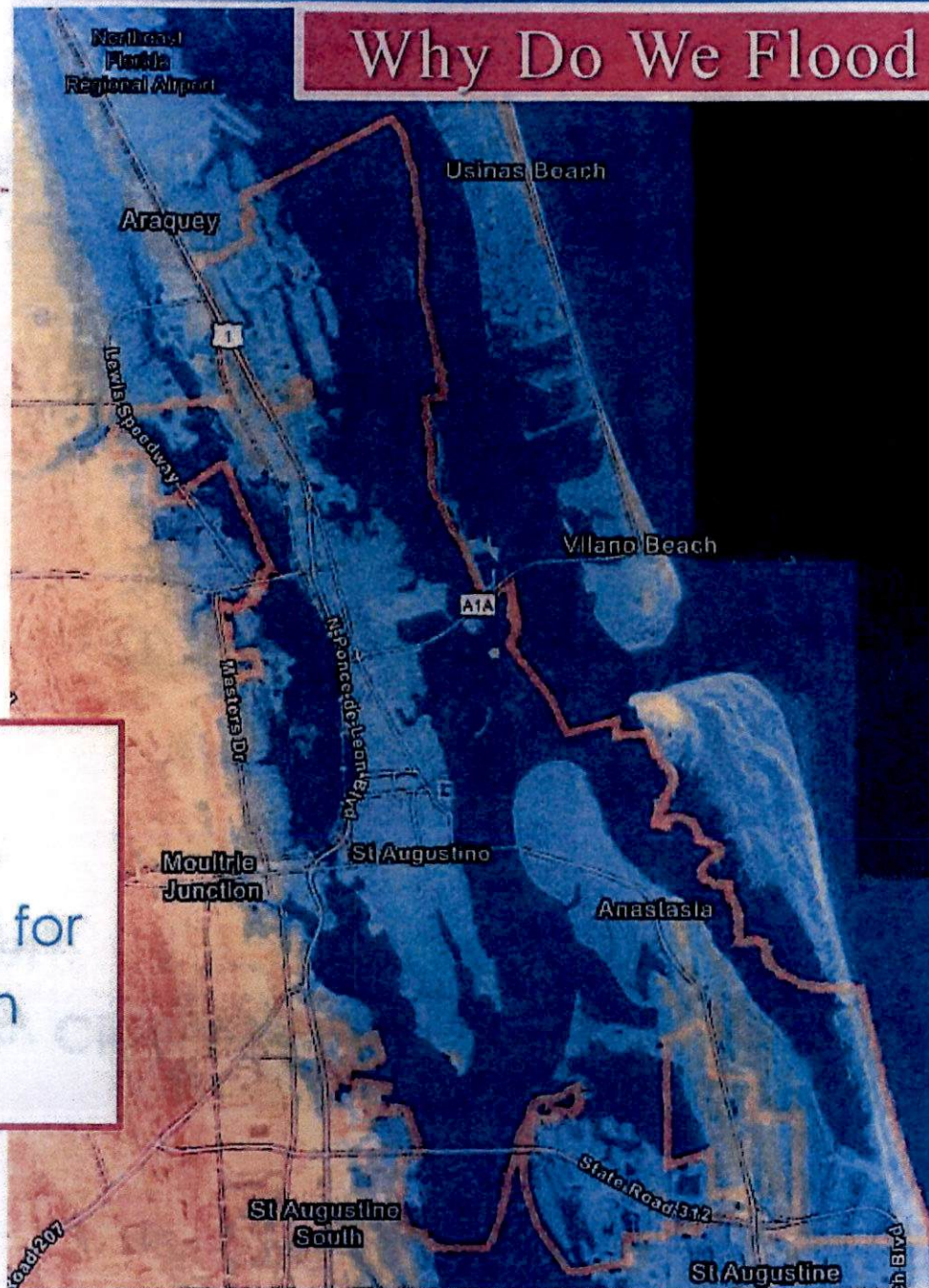
However, the frequency of "sunny day" flooding is on the rise



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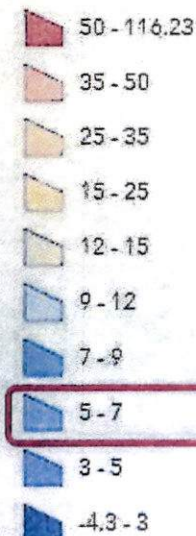
Digital
Elevation
Mapping for
the City in
NAVD88

Why Do We Flood ?



Trash Zones

- ☐ Wetlands
- ☐ Zip
- ☐ Zon
- ☐ -
- ☐ -
- ☐ Storm
- ☐ Elevation Certif
- ☐ Storm Surge De
- ☒ COSA_DEM



Hurricane's Ian
and Nicole
(HWM ≈ 6.5 NAVD88)
Matthew and Irma
(HWM ≈ 7.5 NAVD88)



CITY OF

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Current City Challenges (Stormwater):

- Aging infrastructure
- Undersized collection system
- Low-lying and coastal location (90% of the City is within a flood zone)
- Highly developed (high impervious area)
- Subject to flooding – both from rainfall and tidal/coastal influence (compound flooding)

Why Do We Flood ?



-5-



CITY OF
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Current City Challenges (impacts on the floodplain):

- Low-lying and coastal location (90% of the City is within a flood zone)
- Impacts of altering drainage patterns (filling and grading)
- Meeting FEMA required Finished Floor Elevations and Planning for Future Resilience
- Highly developed sites on small lots (high impervious area)

Why Do We Flood ?





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Types of Flooding

**September 2020 -
Flood Event
(Compound Flooding)**

"King Tides"



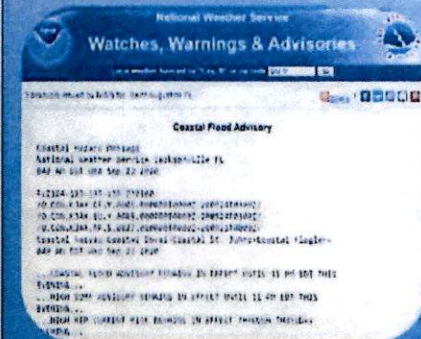
Nor'easter
> 20 mph (3 days)
10-15 mph (1 day)



Rainfall
2-3
inches



**Multiple
Flood
Advisories
Issued**



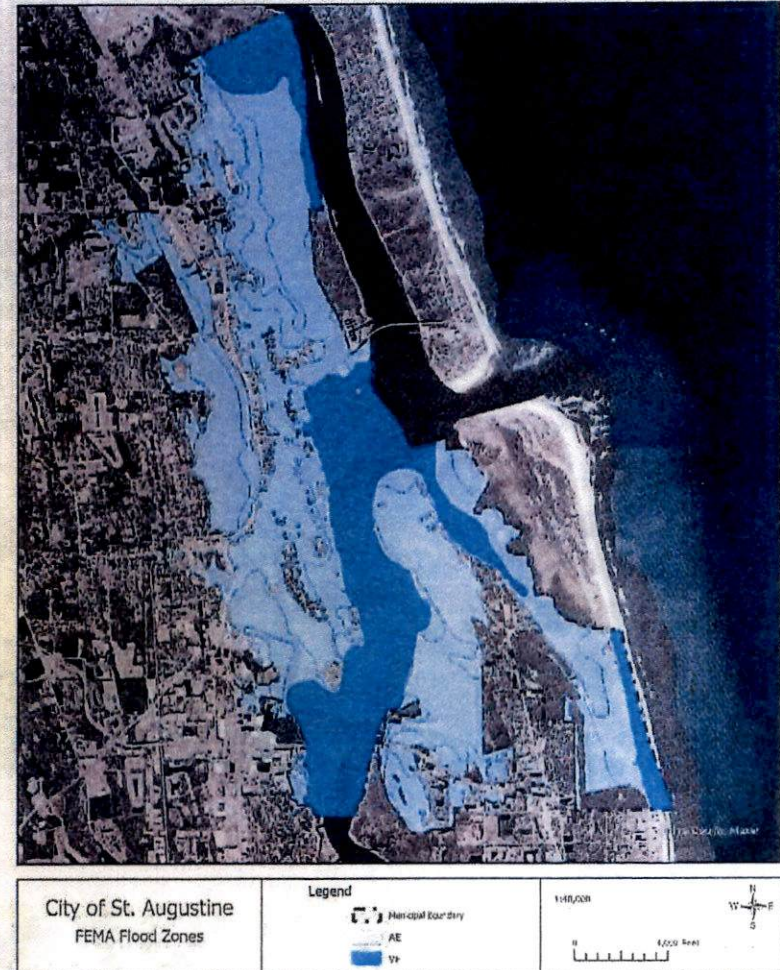
= CITY WIDE FLOODING



CITY OF
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FEMA Flood Zones

- Flood zones correlate to elevations
- Most of the city is in an AE flood zone
- Flood Zone AE is an area designated as a high-risk flood zone by FEMA because of its proximity to floodplains, rivers, lakes, and other bodies of water. AE flood zone areas have a 1% risk of flooding annually with a 26% risk of flooding over the course of a 30-year mortgage.





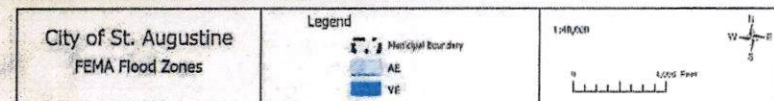
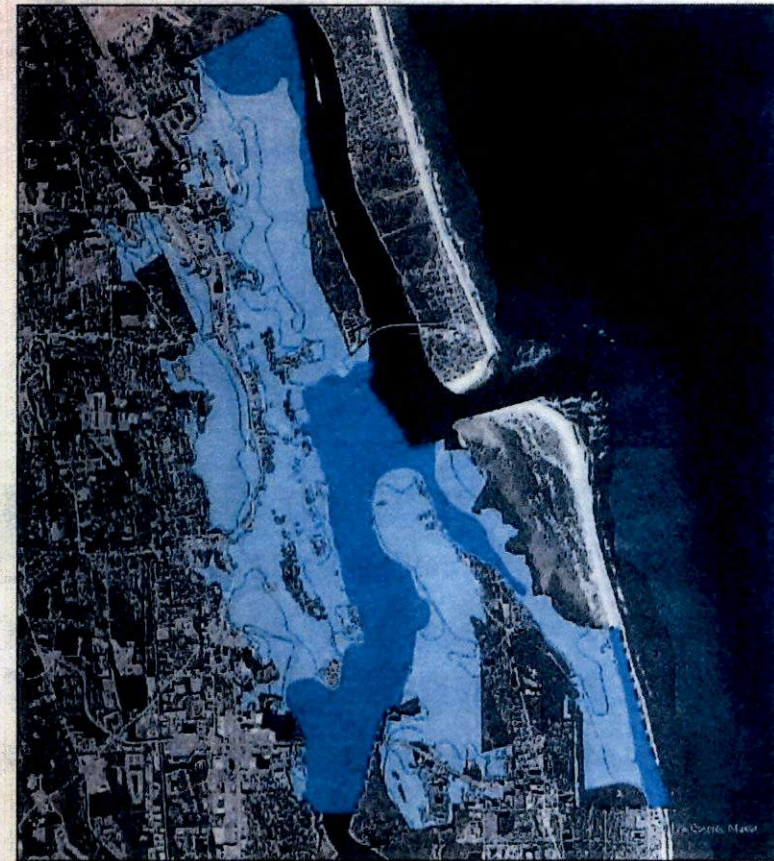
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FEMA Flood Zones

In 2017 the city added required standards for building in the flood zone:

1. **Freeboard** - a one-foot freeboard for all residential structures which is now a state requirement in the Florida building code.
2. **Foundation protection** - requires construction documents to be prepared and sealed by a registered design professional that the design and methods of construction resist flood loads.
3. **Local drainage protection** - for new construction that is outside of the Special Flood Hazard Area (Zone X), the lowest habitable floor is elevated at least 12" above the crown of the road (predominantly Lighthouse Park and West City).





Community Rating System (CRS)

- The city participates in the Community Rating System (CRS).
- The purpose of the CRS is to lower the cost of flood insurance for property owners within that community.
- The CRS gives points to communities for different activities that they engage in that help with reducing flood claims.
- The points for our community reduces flood insurance rates.
- On a scale of 10-1 the city has gone from a 7 to a 4 in the last nine (9) years

The CRS actually gives points to communities that prohibit fill. Different points are given for the different ways of prohibiting fill, such as:

1. Prohibiting fill for all new construction,
2. Prohibiting fill for only residential structures,
3. Requiring compensatory storage,
4. Prohibiting fill but allowing for fill within stem walls.



CITY OF

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Feedback

- ❖ What do you see in your neighborhoods?
- ❖ Are you feeling impacts from new developments?
- ❖ What site development considerations are you making?
- ❖ Have you changed any site development recommendations for homeowners or clients?
- ❖ Should the city regulate fill? How much? Height?
- ❖ If so, how much is reasonable? How much is necessary to develop a site properly?



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Presentation Outline

- ✓ Why do we flood? A look at our challenges...
- ❖ Building Techniques
- ❖ Policy Options
- ❖ Design Techniques





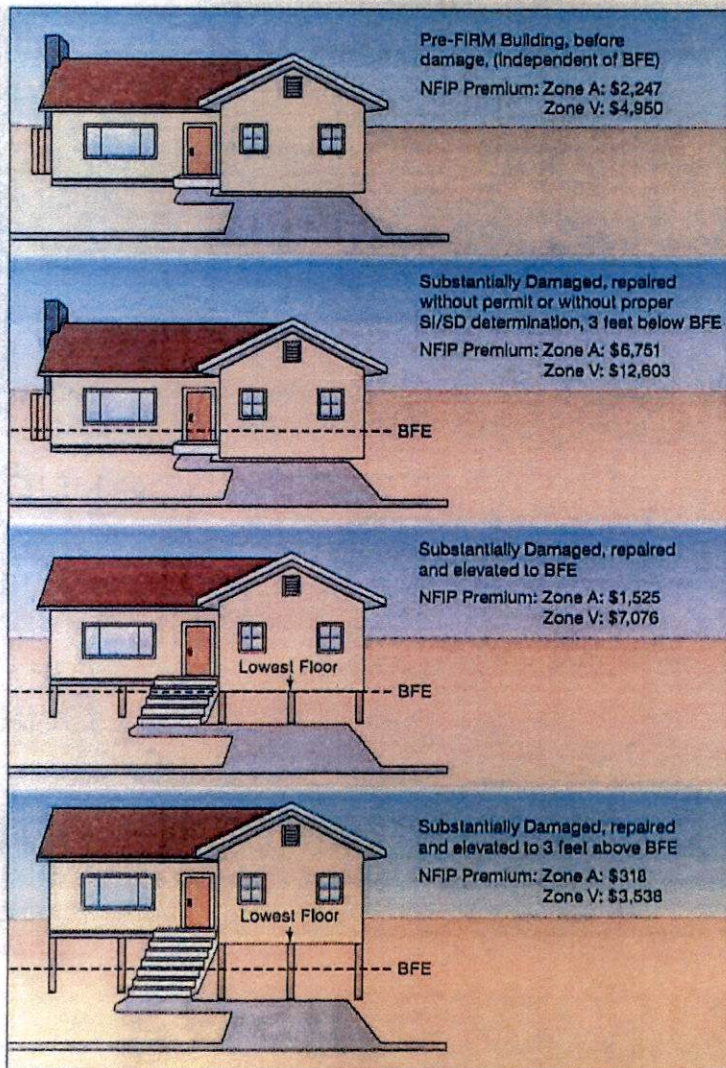
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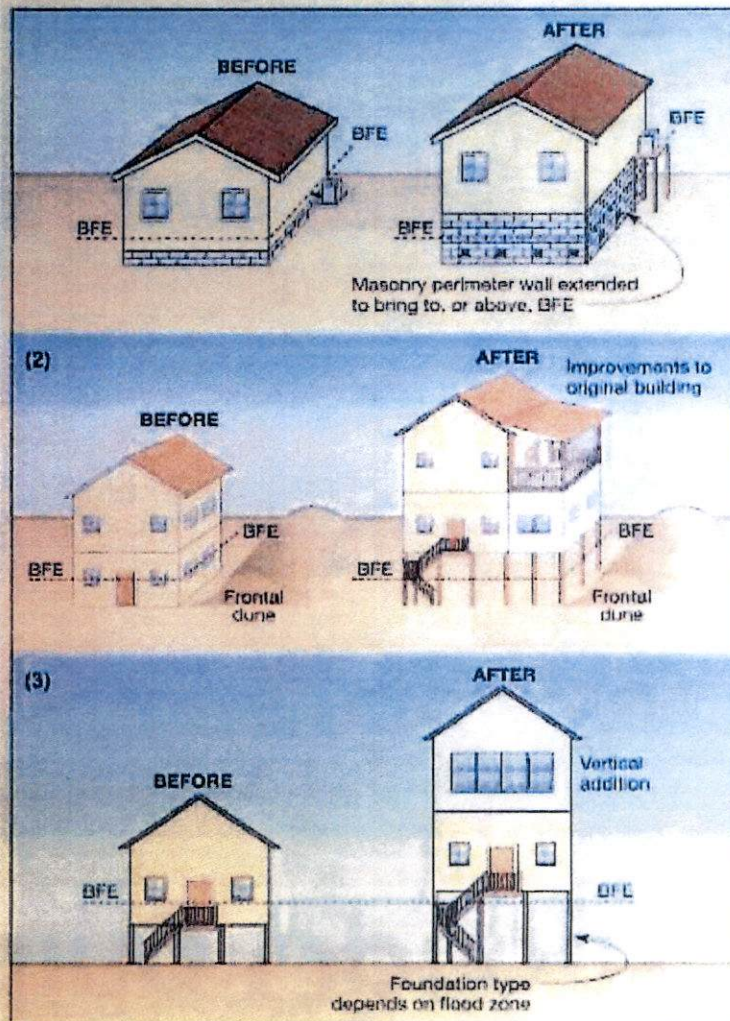
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Resilient Building Options

The cost of an NFIP flood insurance policy varies depending on how a substantially damaged building is repaired. The example illustrated is for a one-story, single-family home without basement or enclosure. Premiums shown are based on \$250,000 building coverage with \$2,000 deductible (rates as of April 2018), without fees and surcharges. This figure is for comparison purposes only.



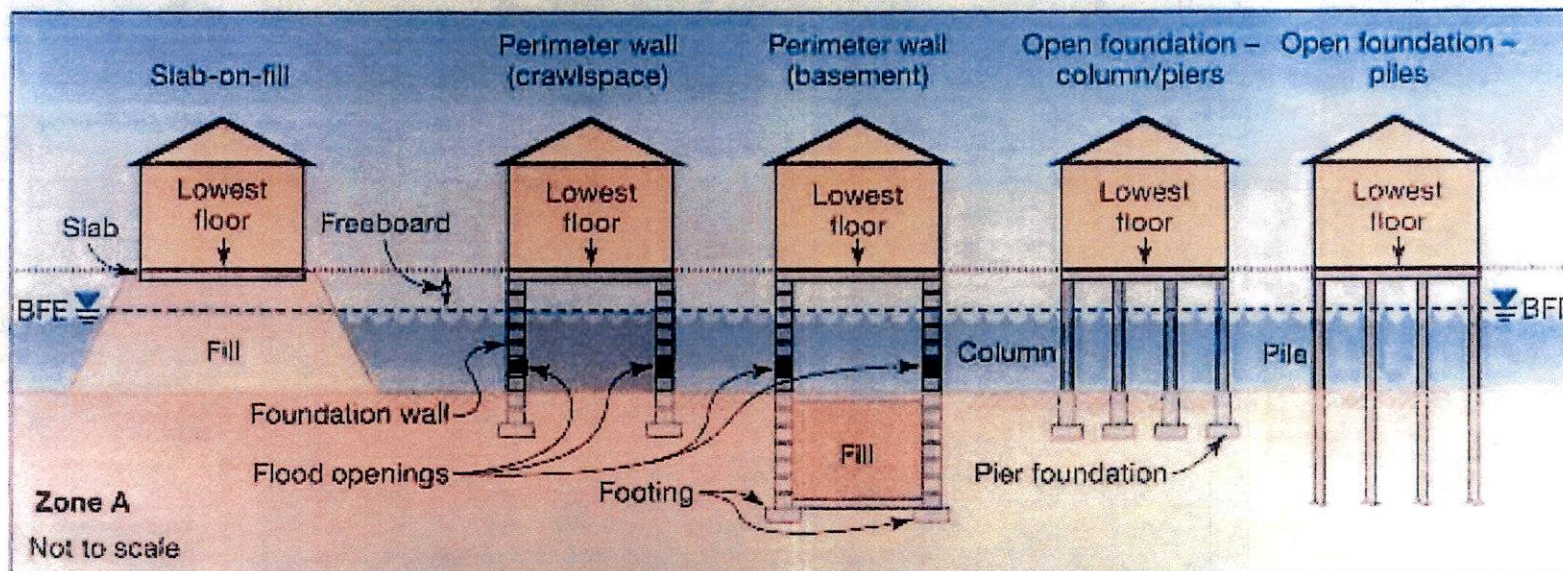
SUBSTANTIAL IMPROVEMENT AND SUBSTANTIAL DAMAGE (c)





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Resilient Building Options



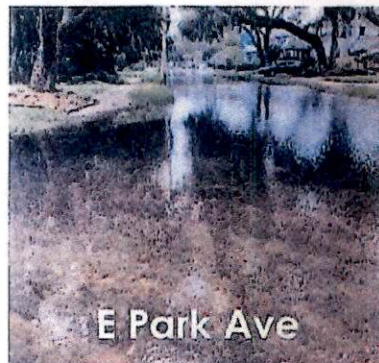


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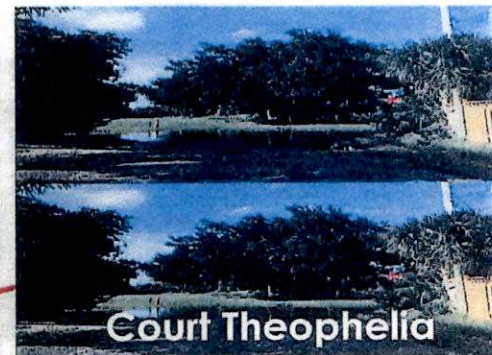
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Where Do We Flood ?

September 2020 -
Flood Event
(Compound Flooding)



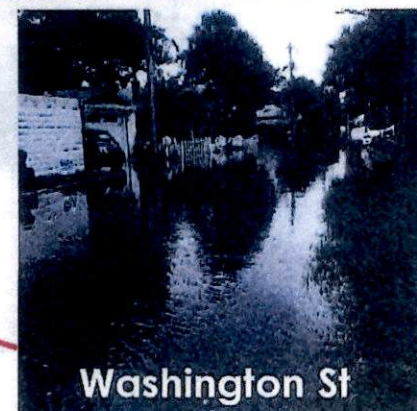
E Park Ave



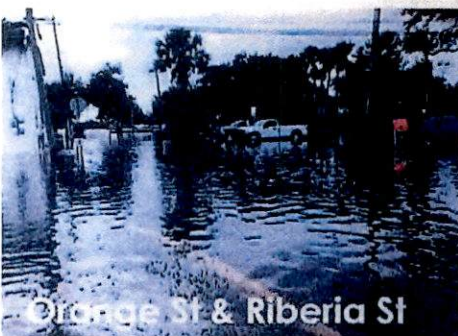
Court Theophelia



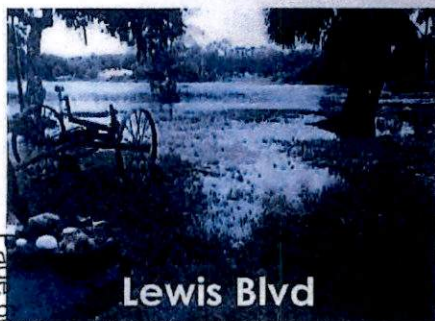
Coquina Avenue



Washington St

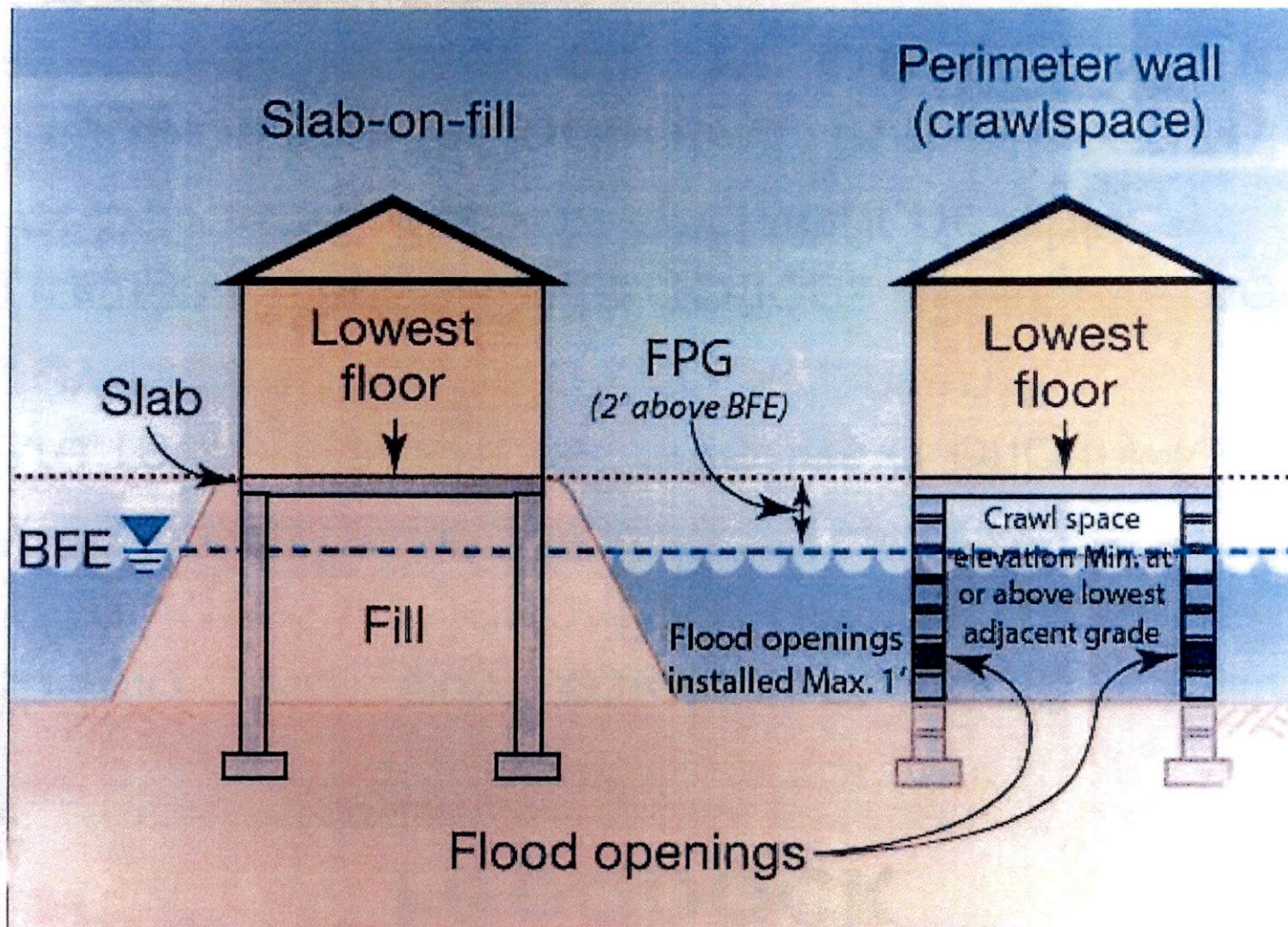


Orange St & Riberia St



Lewis Blvd

Resilient Building Options





Feedback

- ❖ Should the city establish specific building techniques in identified areas, such as low-lying areas?
- ❖ Are more resilient techniques a priority for new development and redevelopment?
- ❖ What are reasonable options or requirements? For builders? For you and your neighbors?
- ❖ If regulations are adopted, then they apply to everyone in the city or just in designated areas?



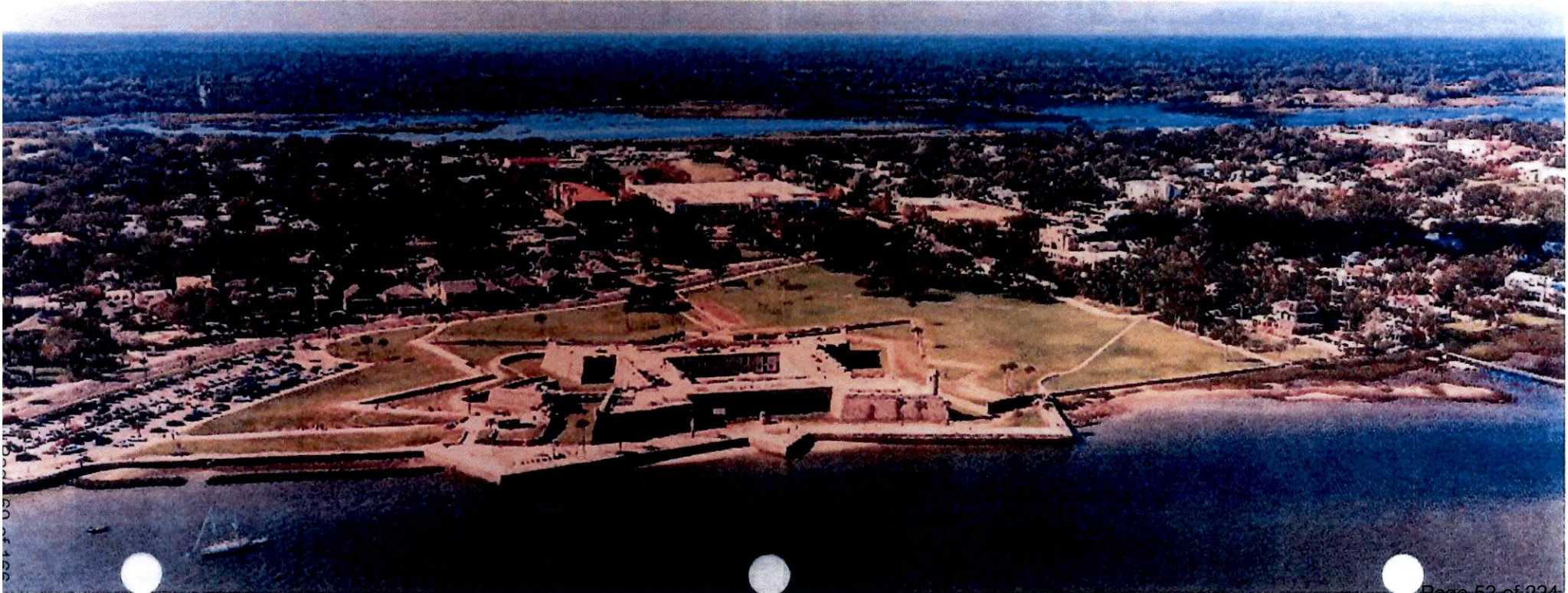
CITY OF

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Presentation Outline

- ✓ Why do we flood? A look at our challenges...
- ✓ Building Techniques
- ❖ Policy Options
- ❖ Design Techniques

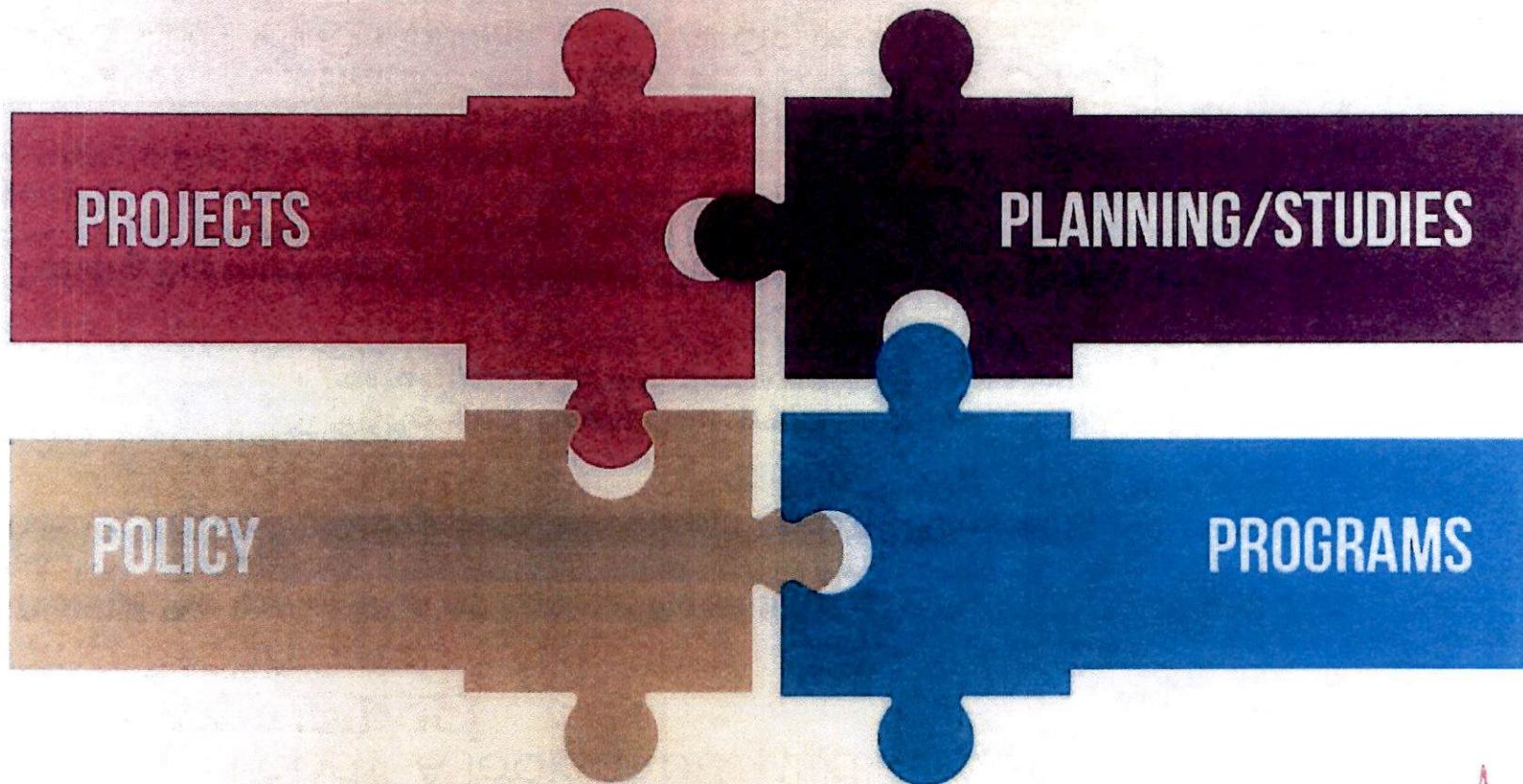




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Overview of the Resilience Program and Strategy



www.citystaug.com/resiliency

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Potential Policy Options

Tier 1 – High Impact

1. Prohibit the use of fill in all Special Flood Hazard Areas (SFHA) (Flood Zones A, AE, V, and VE). Exceptions made for small amounts (6 in. or less) of fill dirt used for landscaping and grading purposes only. (Possible CRS points)

2. Prohibit slab-on-grade and backfilled stem-wall foundation types within the SFHA. This would allow for crawlspace foundations only (ie. piers or pilings) within the SFHA.

3. Raising the freeboard requirement. The City currently requires all new or substantially renovated residential structures built within the SFHA to have their finished floor elevation a minimum of 1 ft above the property's base flood elevation (BFE). A property's BFE is the predicted flood height during a %1 annual-chance-flood event. Further increasing the finished floor elevation height requirement (ex. BFE + 2ft) would provide added protection and reduced flood risk for all newly built or substantially renovated residential structures. (Possible CRS points)



Potential Policy Options

Tier 2 – Moderate Impact

1. **Limiting the use of fill to a “reasonable” amount.** Instead of completely prohibiting the use of fill, another option is setting a maximum allowable amount.
 - Example 1 - A maximum of 2 feet of fill above the existing grade is permitted around the perimeter of a proposed structure only. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet.
 - Example 2 – The amount of fill will not exceed the BFE of the property around the perimeter of the proposed structure. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet.



Potential Policy Options

Tier 2 – Moderate Impact

2. Require a "Certification of No Adverse Impact" signed by a licensed engineer stating that *"the proposed development will not adversely affect flood risks for other properties and communities as measured by increased flood stages, flood velocities, or increased potential for erosion and sedimentation. or any other impact deemed important or as specified by the city of St. Augustine, unless the impact is mitigated as provided for in a community or watershed-based plan. This certification shall employ industry standards for hydraulic and hydrological analysis to determine no adverse impact and all data shall be provided in hard copy and digitally for review and corroboration by the city's engineer or any governmental review agency acceptable to the city of St. Augustine"*

A certification of no adverse impact could be applied widely, to say to all development related permits involving the use fill within the SFHA, or more narrowly, for unique permit specific circumstances or specific areas.



Potential Policy Options

Tier 2 – Moderate Impact

3. Applying floodplain management regulations in the 0.2%-annual-flood-hazard area. This would mean flood zones "X", and "X – shaded" located within the City are treated as "A" zones in regard to floodplain regulations. In other words, the entire City would be treated as a part of the SFHA, and would be subject to all applicable higher regulatory standards and floodplain regulations. (Possible CRS points)

FEMA's classifies flood zones "X" and "X – shaded" as areas of minimal and moderate flood hazard, respectively. They are normally excluded from the SFHA, and unlike flood zones "A", "AE", and "V", are not subject to FEMA NFIP regulations.

Potential Policy Options

Tier 3 - Low Impact

1. **Limit Lot Coverage.** Consider reductions to allowed lot impervious coverage (e.g. 50%). Consider increasing allowed heights in exchange for smaller building footprints. Also consider prohibiting or limiting the footprint of accessory structures, such as storage structures or detached buildings.
2. **Low Impact Development / Green Infrastructure.** Consider requiring or incentivizing the installation of green infrastructure to store and infiltrate runoff onsite from new impervious surfaces.



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Potential Policy Options

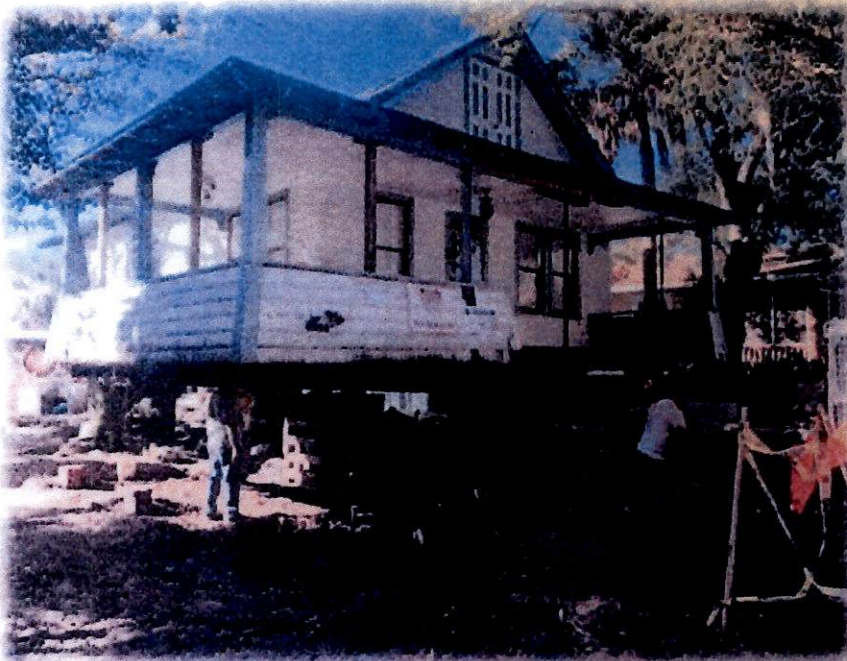
Tier 3 - Low Impact

3. Limit Impervious Surfaces (Private properties). Explore providing information and support to private property owners to reduce impervious services. Consider offering reductions to stormwater utility fees for reduction in impervious surfaces or other incentives. The previous Building Code Task Force recommended utilizing incentive programs to implement porous materials for driveways and patios, and to cap the maximum impervious surface ratio at 70%.

4. Enclosure Limitations. Consider prohibiting or limiting the size of enclosures below the lowest floor / lowest horizontal structure member. The construction method could also be limited to require breakaway walls in lieu of walls of enclosures with flood openings.



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Please visit www.citystaug.com/FMA for more info

- ❖ **Flood Mitigation Assistance (FMA) Program**
- ✓ **Cost share program with FEMA to elevate and/or reconstruct flood prone, at-risk structures**
- ✓ **FY 22 – Application Cycle:**
 - Over 80 properties interested in the program, **61 properties had complete applications that met the program requirements**
 - Eligible applications have been submitted to FEMA for consideration
 - Total funding request of **\$12,353,474** submitted that would be cost shared with FEMA if selected
- ✓ **FY 23 – Application Cycle:**
 - Over 40 properties were interested in the program
 - 10 applications submitted to the State for consideration and have been selected "for further review"
- ✓ **FY 24 – Application Cycle:**
 - Pending application with the State



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Feedback

- ❖ Do any of these policy options sound reasonable? Worth exploring?
- ❖ The city already requires a grading plan and limits impervious surface for residential uses to 70% of the lot – should we change these standards and require more site design?
- ❖ Again, should the city establish certain building techniques in certain areas, such as low-lying areas?

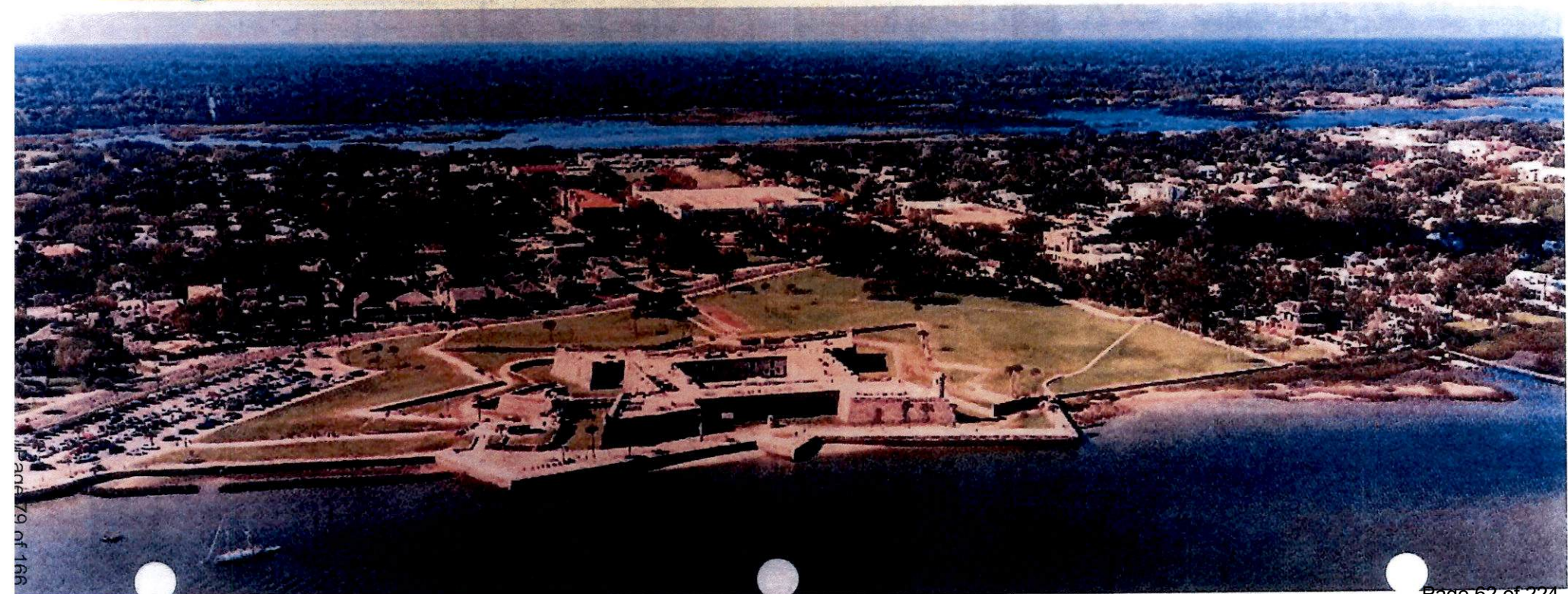


CITY OF

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Presentation Outline

- ✓ Why do we flood? A look at our challenges...
- ✓ Building Techniques
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- ❖ Design Techniques





Low Impact Design (LID)

STORMWATER DESIGN OVERVIEW

- Stormwater is recommended to be incorporated into the overall design of the project as amenities.
- The goal of encouraging the use of these mechanisms is to reduce stormwater runoff, capture contaminants closer to the source and reduce the use of potable water for irrigation and grey water activities.

LOW IMPACT DEVELOPMENT (LID) STORMWATER TECHNIQUES

It is recommended that projects include at least two of the following low impact design concepts, which may be located anywhere on the project (including the front setback):

- Raised pier construction for homes (allowing for movement of stormwater and additional infiltration area)
- Rainwater harvesting (rain barrels, underground cisterns, and similar to assist in water conservation)
- Green roofs
- Bio-swales
- Rain gardens
- Pervious pavement (pervious concrete, pervious pavers, and/or other pervious pavements)



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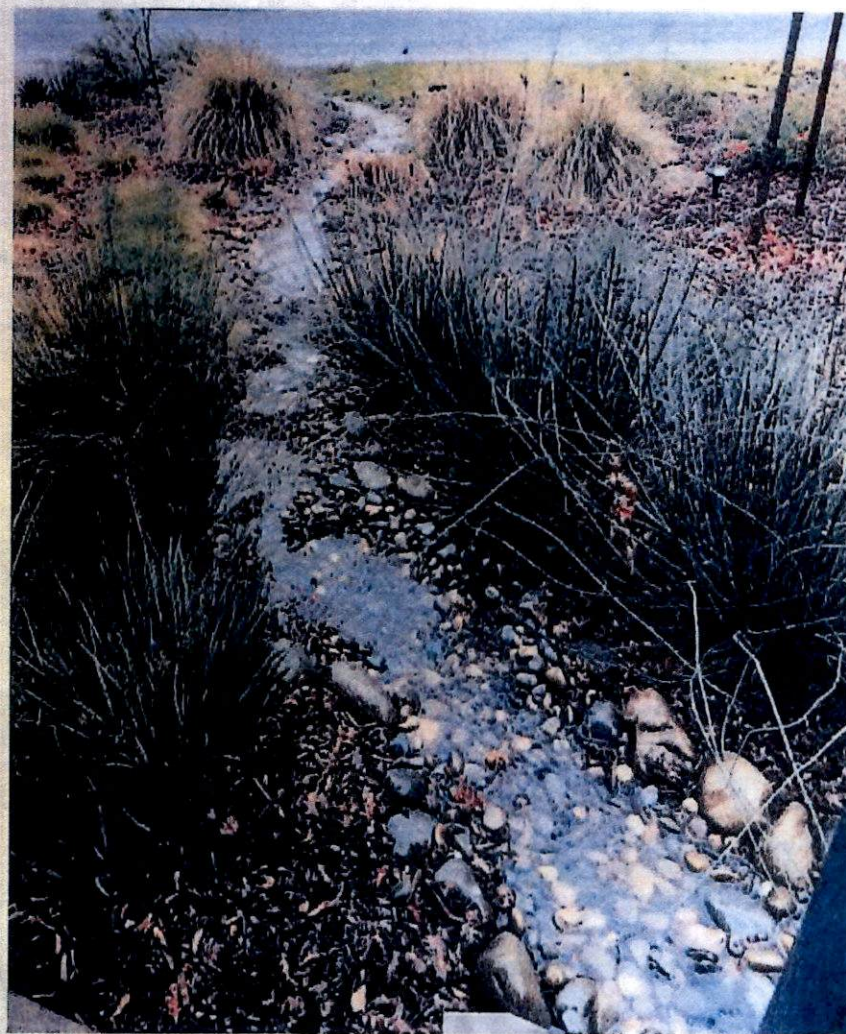
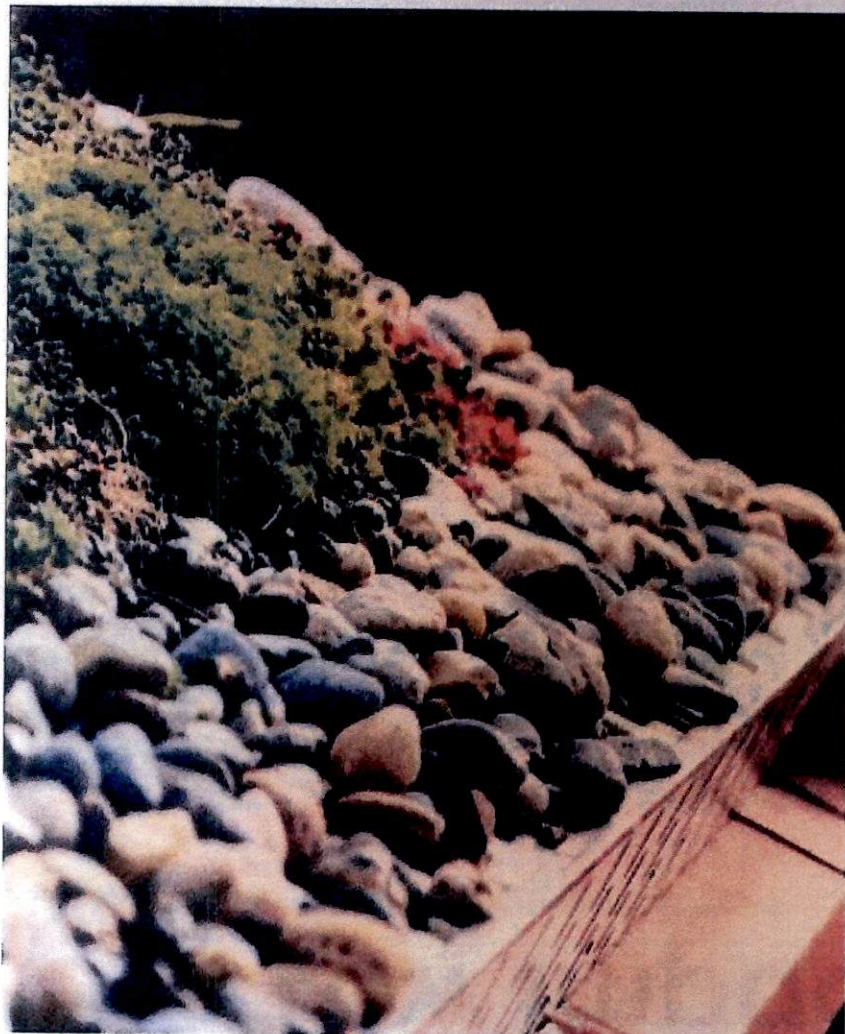
Low Impact Design (LID)





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Low Impact Design (LID)



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Low Impact Design (LID)





Storm Resilient Design

STREET WALL AS FLOOD PROTECTION

- ❖ It is recommended that the street wall be considered as part of flood protection to the site. When used in conjunction with neighboring walls and earthen berms, it is possible to create an initial barrier to storm surge and flooding.
- ❖ Openings in the wall for pedestrian walkways and driveways can be closed during storm events by using temporary barriers.



Storm Resilient Design

STREET WALLS

- ❖ Low block/masonry walls may be appropriate. Street walls are recommended to not exceed 36", but four (4) feet is the maximum per Code. Wall height should be measured from the lower elevation of the public sidewalk or final elevation of adjacent interior development.
- ❖ Portions of the wall above 3 feet should not be more than 50% solid.
- ❖ Street walls shall be constructed of brick or masonry. Fencing may be included.
- ❖ When landscaping is provided between the wall and the sidewalk, the landscaping strip is recommended to be a minimum of two (2) feet wide.

Storm Resilient Design

FOUNDATION

- ❖ The relationship of the building floor height to the surrounding context of the neighborhood is important to consider.
- ❖ **Raised Pier Foundations:** There are multiple advantages to raising the foundation, including (a) opportunities for stormwater infiltration, (b) movement of storm surge through a site in hurricane events, and (c) cross ventilation.
- ❖ Design recommendations should consider:
 - ❖ Brick, tabby or concrete block (with texture) piers.
 - ❖ Spaces between piers left open.
 - ❖ Lattice infill between piers is common.



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Storm Resilient Design

POTENTIAL FIRST FLOOR ELEVATIONS

- ❖ Homeowners may consider further elevating the first floor. General recommendations to keep the architectural context of the homes include:
- ❖ Take into consideration maximum heights of FEMA and City required minimum elevations of 35' (conforming lot) and 30' (nonconforming lot).
- ❖ Do not raise the home more than 4' from existing grade.
- ❖ When raising the home more than 4' from existing grade, consider bringing it up one floor by building a non-occupied space such as garages, storage, and similar under the structure. The inclusion of an exterior porch and first floor entry should be considered in lieu of open "stilt house" base.
- ❖ The City encourages sensitivity to the neighborhood character and sense of place created by the streetscape.



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Feedback

- ❖ Should these design techniques be suggestions or requirements?
- ❖ What are the opportunities? What are the limitations of these techniques?
- ❖ What are the potential positives? What are the potential negatives?
- ❖ What are your thoughts from a neighborhood and property owner perspective and from a builder and developer perspective?

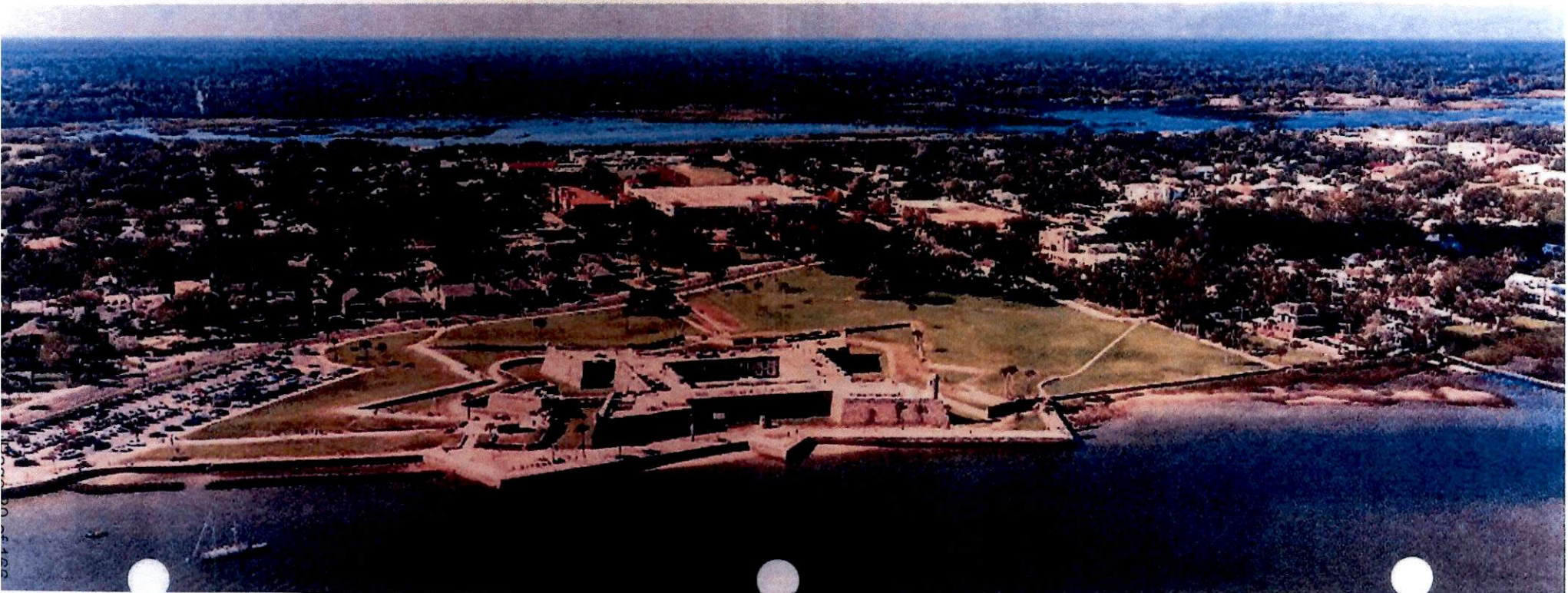


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Presentation Outline

- ✓ Why do we flood? A look at our challenges...
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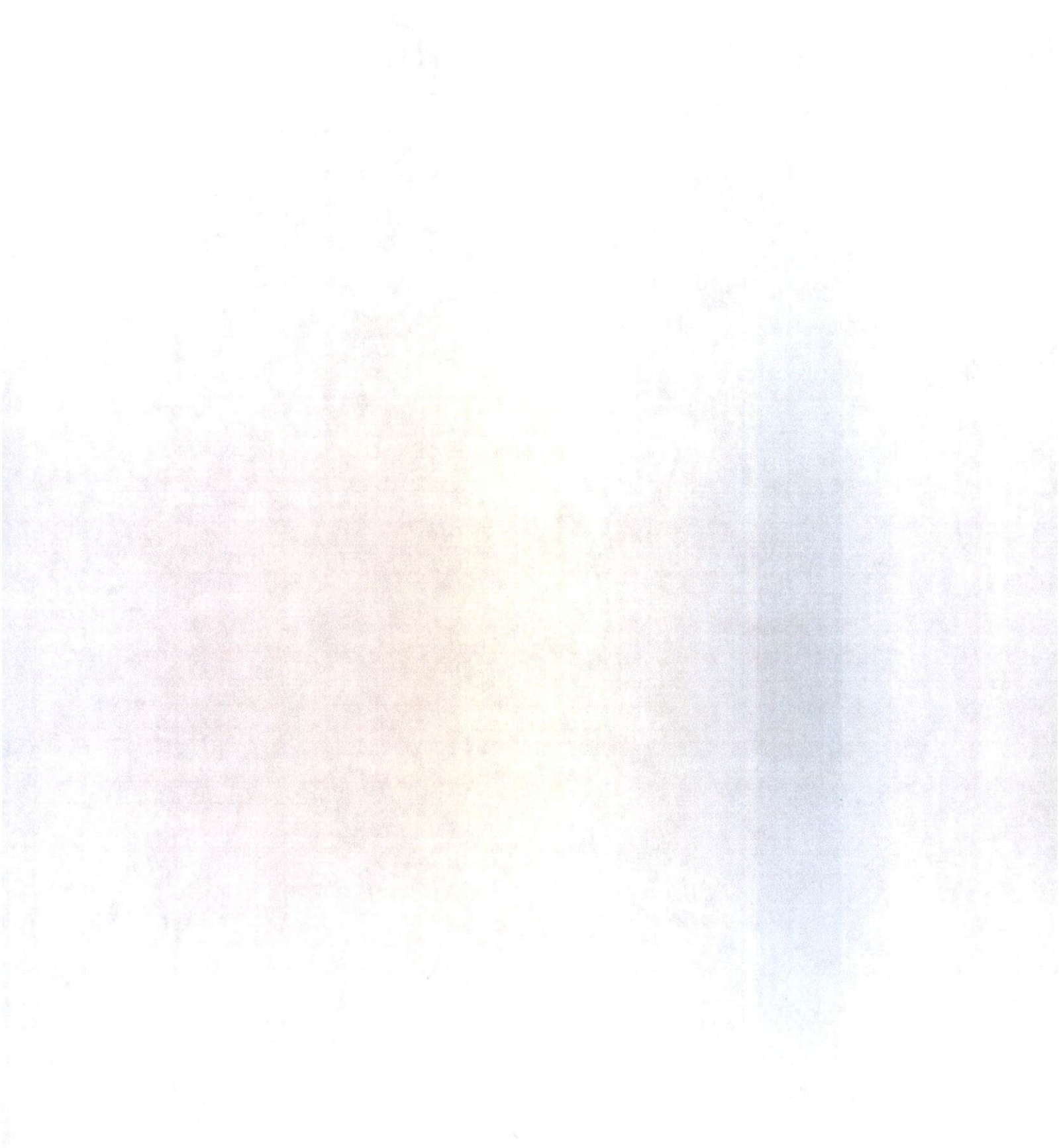
Thank you for your time!
We appreciate your input!



Ray Deschler, CFM, Floodplain
Coordinator,
rdeschler@citystaug.com
Richard "Buddy" Schauland,
CBO, CFM,
rschauland@citystaug.com

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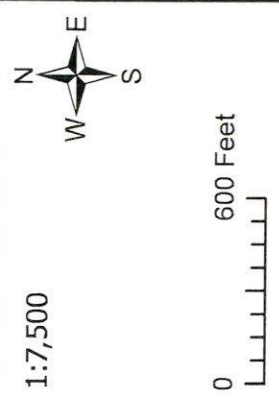
City Maps Illustrating Low Lying Areas





Legend

- Area of Interest
- Road Centerline - City
- Elevations (ft NAVD88)
 - 0.001 - 1
 - 1.001 - 2
 - 2.001 - 3
 - 3.001 - 4
 - 4.001 - 5
 - 5.001 - 6



1:7,500

North Downtown St. Augustine:
Low-lying Areas
Elevation Range: 0 to 6 ft NAVD88



Ravenswood: Low-lying Areas
Elevation Range: 0 to 7 ft NAVD88

- Legend**
- Area of Interest
 - Municipal Boundary
 - Road Centerline - City

- Elevations (ft NAVD88)**
- 0.001 - 1
 - 1.001 - 2
 - 2.001 - 3

- 3.001 - 4
- 4.001 - 5
- 5.001 - 6
- 6.001 - 7





Low-lying Areas in Davis Shores

Elevation Range: 0 to 5 ft NAVD88

1:6,500

0 500 Feet

N
W E
S

Legend

- 1.02 - 2.01
- 2.02 - 3
- 3.01 - 4
- 4.01 - 5

- Road Centerline - City
- Area of Interest
- Elevations (ft NAVD88)
- 0.02 - 1.01

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CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: August 1, 2025

RE: **RESOLUTION 2025-27: BROWNFIELD DESIGNATION OF 400 AND 404 RIBERIA PARCELS**

Enclosed please find Resolution 2025-27, designating the properties identified as Parcel ID Nos. 2035400010 and 2035400000 as a Brownfield area, along with the Public Works staff report and a map which includes the designated parcels and other supporting documentation from the applicant.

The Brownfield designation is a statutory process. Brownfields can either be proposed by the local government or individuals, corporations, or other non-governmental legal entities. Often, as in this case, a developer will purchase a contaminated property with the intent to redevelop it, contingent on a Brownfield designation to pay for some of the cleanup costs.

While the statute requires the local government to designate the Brownfield area and to subsequently notify the Florida Department of Environmental Protection (DEP), the program is administered by the state and no funding is required by the local government.

The Commission should evaluate the application based on the following criteria, provided by statute:

- A person who owns or controls the site is requesting the designation and agrees to rehabilitate and redevelop the area;
- The rehabilitation and redevelopment of the site will result in economic productivity of the area, along with at least 5 new permanent jobs created;
- The redevelopment is consistent with the comprehensive plan;
- Notice was provided to neighbors and nearby residents; and
- The developer has provided reasonable assurances the he or she has sufficient financial resources to complete the rehabilitation and redevelopment.

Following adoption by the local government, the applicant then works with DEP to complete the project.

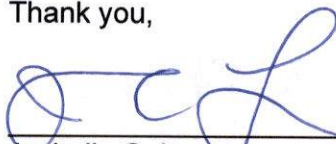
The statute requires two public hearings. This is the first hearing and public input is required. Included in this application are: the resolution; legal description of the property (exhibit 1); staff report with associated map (exhibit 2); certification of property ownership pursuant to the Florida Brownfields Redevelopment Act, application for brownfield area designation, proof of notice documents, financial assurances letter, site summary and future plans memo from the applicants agent, and the relevant Florida Statutes.

Please place Resolution 2025-27 on the regular City Commission agenda for second public hearing on August 11, 2025.

Thank you,

Attachments

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Stephen Slaughter, Director of Public Works
Darlene Galambos, City Clerk


Isabelle C. Lopez
City Attorney

RESOLUTION 2025-27

A RESOLUTION DESIGNATING PARCEL NUMBER 2035400010, LOCATED AT 400 RIBERIA STREET, ST. AUGUSTINE, FLORIDA 32084 AND PARCEL NUMBER 2035400000, LOCATED AT 404 RIBERIA STREET, ST. AUGUSTINE, FLORIDA 32084, AS A BROWNFIELD REHABILITATION AREA FOR ENVIRONMENTAL REHABILITATION AND ECONOMIC DEVELOPMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, SAMC Partners, LLC, (the "Owner") owns parcel number 2035400010, located at 400 Riberia Street, St. Augustine, Florida, 32084 and parcel number 2035400000, located at 404 Riberia Street, St. Augustine, Florida 32084 (collectively the "Property"), a description of both parcels is attached hereto as **Exhibit 1**; and

WHEREAS, Owner is planning to redevelop the Property with a commercial development which would include commercial uses; and

WHEREAS, Owner has requested that the City of St. Augustine designate the Property a Brownfield Area as authorized by Section 376.80, Florida Statutes; and

WHEREAS, the Public Works Department has issued a staff report, attached hereto as **Exhibit 2**, including a map of the designated property, and incorporated herein by reference, recommending that the Brownfield designation requested by Owner be approved; and

WHEREAS, valuable economic incentives accrue to those who redevelop designated Brownfield sites.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, THAT

Section 1. The City of St. Augustine, adopts the findings of fact and conclusions of law as described in the recitals herein.

Section 2. For the purposes of the Florida Brownfields Redevelopment Act, Sections 376.77 - 376.85, Florida Statutes, (hereinafter, the "Act"), the Property is hereby designated a Brownfield Area. This designation shall not, however, render the City of St. Augustine liable: for the cost of site rehabilitation or source removal, as those terms are defined in Sections 376.79(19) and (20), Florida Statutes; for other costs in excess of those attributable to the City as administrator of a Brownfields Program; or, as a property owner, if the City hereafter acquires any realty within the designated Brownfield Area. A copy of the staff report with staff

findings and a map adequate to clearly delineate exactly which parcel is to be included in the brownfield area is attached hereto **Exhibit 2**.

Section 3. Following enactment of this resolution approving the Brownfield Area designation, Owner will negotiate a Brownfield Site Rehabilitation Agreement (BSRA) with the Florida Department of Environmental Protection (FDEP). Owner is pursuing the Brownfield Area designation and BSRA in order to benefit from the State of Florida's Voluntary Clean Up Tax Credit Program (VCTC). The VCTC will allow Owner to receive the 50% State corporate income tax credit for assessment and cleanup costs up to an annual amount of \$500,000.00. Owner also wishes to apply for cleanup liability protection from the State. Preliminary environmental site assessments have revealed soil and groundwater contamination above FDEPT standards on some of the parcels. Owner wishes to clean and redevelop the site for commercial use.

Section 4. In accordance with Section 376.80, F.S., a copy of this resolution designating the property as a Brownfield Area shall be sent to FDEP within thirty (30) days of the adoption of this resolution.

Section 5. This resolution shall become effective immediately upon adoption by the City Commission.

ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida this __ day of _____, 2025.

ATTEST:	CITY OF ST. AUGUSTINE, FLORIDA
_____ Darlene Galambos, City Clerk (Seal)	_____ Nancy Sikes-Kline, Mayor-Commissioner

EXHIBIT 1

DESCRIPTION OF PROPERTY

FEE SIMPLE PARCELS

LEGAL DESCRIPTION; PARCEL 1 - NORTH PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 2 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 594.51 FEET; THENCE SOUTH 71 DEGREES 14 MINUTES WEST 20.04 FEET TO NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, SAID NORTHEAST CORNER BEING THE POINT OF BEGINNING;

THENCE SOUTH 22 DEGREES 30 MINUTES 00 SECONDS EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 37.87 FEET; THENCE SOUTH 41 DEGREES 30 MINUTES 11 SECONDS EAST, ON SAID EAST LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223 A DISTANCE OF 153.88 FEET; THENCE NORTH 89 DEGREES 03 MINUTES EAST, ON THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301, OF SAID PUBLIC RECORDS A DISTANCE OF 26.32 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301 AND THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338 OF SAID PUBLIC RECORDS, 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, ON THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 11.87 FEET; THENCE SOUTH 54 DEGREES 52 MINUTES WEST ON THE SOUTH LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 399 FEET MORE OR LESS TO THE MEAN LOW WATER LINE OF THE SAN SEBASTIAN RIVER; THENCE MEANDERING NORTHWESTERLY ALONG SAID MEAN LOW WATER LINE A DISTANCE OF 428 FEET MORE OR LESS TO THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223; THENCE NORTH 24 DEGREES 14 MINUTES EAST, ON SAID NORTHERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 140.84 FEET MORE OR LESS; THENCE NORTH 71 DEGREES 14 MINUTES EAST, ON SAID NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 184.11 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION; PARCEL 2 - SOUTH PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 628.74 FEET; THENCE SOUTH 40 DEGREES 20 MINUTES 57 SECONDS EAST, A DISTANCE OF 166.76 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, A DISTANCE OF 207.30 FEET; THENCE SOUTH 53 DEGREES 73 MINUTES WEST, A DISTANCE OF 11.87 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 22 DEGREES 40 MINUTES EAST, ON THE EAST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 277, PAGE 429 OF SAID PUBLIC RECORDS AND ON THE EAST LINE OF THAT LAND DESCRIBED IN MORTGAGE DEED RECORDED IN OFFICIAL RECORDS BOOK 205, PAGE 734 OF SAID PUBLIC RECORDS, 442 FEET TO THE MOST NORTHERLY CORNER OF THAT LAND CONVEYED BY QUIT CLAIM DEED FROM THE CITY OF ST. AUGUSTINE, FLORIDA, TO ST. AUGUSTINE TRAWLERS, INC.; THENCE ON THE EASTERLY AND SOUTHERLY LINE OF SAID LAND CONVEYED BY THE CITY OF ST. AUGUSTINE TO ST. AUGUSTINE TRAWLERS, INC., THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 36 DEGREES 13 MINUTES EAST, 400 FEET, SOUTH 49 DEGREES 19 MINUTES EAST, 363.51 FEET, SOUTH 1 DEGREE 31 MINUTES EAST, 78.12 FEET, AND SOUTH 53 DEGREES 73 MINUTES WEST, 1,306 FEET MORE OR LESS TO THE LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER; THENCE NORTHERLY ALONG SAID LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER, A DISTANCE OF 2,099+/- MORE OR LESS; THENCE NORTH 54 DEGREES 52 MINUTES 04 SECONDS EAST, A DISTANCE OF 399+/- MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 1 AND PARCEL 2 BEING THE SAME AS THE FOLLOWING PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 2 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 594.51 FEET; THENCE SOUTH 71 DEGREES 14 MINUTES WEST 20.04 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND ON A LINE 20 FEET WEST, AS MEASURED PERPENDICULARLY, FROM SAID WEST LINE OF RIBERIA STREET AND AT THE NORTHEAST CORNER OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 449, PAGE 223, PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 71 DEGREES 14 MINUTES WEST ON THE NORTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 184.11 FEET; THENCE SOUTH 24 DEGREES 14 MINUTES WEST, ON A WESTERLY LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 140.84 FEET TO THE EAST SIDE OF THE SAN SEBASTIAN RIVER AT POINT "A"; THENCE RETURNING BY THE SAME COURSES AND DISTANCES TO THE POINT OF BEGINNING;

THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 37.87 FEET; THENCE SOUTH 41 DEGREES 30 MINUTES 1 SECONDS EAST, ON SAID EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223 A DISTANCE OF 153.88 FEET; THENCE NORTH 89 DEGREES 03 MINUTES EAST, ON THE NORTH LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 363, PAGE 301, PUBLIC RECORDS OF SAID COUNTY, 26.32 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301 AND THE EAST LINE OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338 OF SAID PUBLIC RECORDS, 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, ON THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 11.87 FEET; THENCE SOUTH 22 DEGREES 40 MINUTES EAST, ON THE EAST LINE OF

THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 277, PAGE 429 OF SAID PUBLIC RECORDS AND ON THE EAST LINE OF THAT LAND DESCRIBED IN MORTGAGE DEED RECORDED IN OFFICIAL RECORDS BOOK 205, PAGE 734 OF SAID PUBLIC RECORDS, 442 FEET TO THE MOST NORTHERLY CORNER OF THAT LAND CONVEYED BY QUIT CLAIM DEED FROM THE CITY OF ST. AUGUSTINE, FLORIDA, TO ST. AUGUSTINE TRAWLERS, INC.; THENCE ON THE EASTERLY AND SOUTHERLY LINE OF SAID LAND CONVEYED BY THE CITY OF ST. AUGUSTINE TO ST. AUGUSTINE TRAWLERS, INC., THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 36 DEGREES 13 MINUTES EAST, 400 FEET, SOUTH 49 DEGREES 19 MINUTES EAST, 363.51 FEET, SOUTH 1 DEGREE 31 MINUTES EAST, 78.12 FEET, AND SOUTH 53 DEGREES 37 MINUTES WEST, 1,306 FEET MORE OR LESS TO THE LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER; THENCE NORTHERLY ALONG SAID LOW WATER LINE ON THE EAST SIDE OF THE RIVER, 2,528 FEET MORE OR LESS TO THE SAID POINT "A" AT THE NORTHWEST CORNER OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, AND TO CLOSE.

EXHIBIT 2

STAFF REPORT & MAP

[Attached]



1565 – 2015
450 years

July 11, 2025

City of St. Augustine



St. Augustine, Florida
Nation's Oldest City

Public Works

Staff Report – Brownfield Area Designation – St Augustine Marine Center at 400 and 404 Riberia Street

SAMC Partners LLC, which owns the St. Augustine Marine Center properties at 400 and 404 Riberia Street is requesting that these parcels be designated as a Brownfield Area under the process authorized by § 376.80, Florida Statutes (F.S.). These parcels, totaling 33.34 acres, are bounded by Riberia Street to the east and the San Sebastian River to the west.

Since the mid-1960s, the Site has operated as a boat manufacturer or marina. Historically, boat manufacturing, maintenance, and salvage activities on the property involved the use of products and equipment containing petroleum or hazardous materials. Current activities at the Site include general boat maintenance and demolition on open ground, as well as outdoor sandblasting.

A Phase I Environmental Site Assessment was conducted on the overall property on January 23, 2025, which identified a number of recognized environmental conditions and/or site concerns.

A Limited Site investigation was conducted on the property in April, 2025, which included the investigation of soil and groundwater. Soil sampled across the property is currently impacted with arsenic, chromium, copper, 1,2,4-trimethylbenzene, benzo(a) pyrene, TRPH, and naphthalene. Groundwater sampled across the property is currently impacted with isopropylbenzene (cumene), arsenic, barium, naphthalene, MTBE, 1-methylnaphthalene, 2-methylnaphthalene, phenanthrene, fluorene, TRPH, acenaphthene, benzo(a)anthracene, PFOS, and PFOA.

Upon approval by the City of St. Augustine, the applicant will enter into a Brownfield Site Rehabilitation Agreement with the FDEP. Under the Brownfield Program, the Florida Department of Environmental Protection will provide guidance and regulatory review of all assessment reports and future remedial actions. Progress of these environmental activities will be regularly communicated to a Community Advisory Board, made of local citizens and stakeholders.

SAMC Partners LLC is currently planning on redeveloping the site. Redevelopment plans include a new service building, a new boat barn storage building with an attached marina/ship store, an outdoor patio and an office, and changes to the outdoor storage and facility drives.

Following enactment of the legislation approving the designation, the owner will negotiate a Brownfield Site Rehabilitation Agreement (BSRA) with FDEP. The enactment of the BSRA will allow the owner and/or future owner to pursue Voluntary Cleanup Tax Credits and cleanup liability protection from the State of Florida for actual remediation activities conducted on the site.

As required by §376.80(2)(c), F.S., the applicant proposing the designation of a new Brownfield Area must establish the following:

1. The owner or entity controlling the brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the site;
2. The rehabilitation and redevelopment of the site will result in five permanent jobs;
3. The redevelopment is consistent with the comprehensive plan and land development regulations;
4. Public notice for the proposal will be provided pursuant to §376.80(1)(c), F.S.; and,
5. The owner or entity has provided real assurance of sufficient financial resources to implement and complete the Brownfield Site Rehabilitation Agreement.

SAMC Partners LLC has answered in the affirmative for all requirements.

City Staff recommends AAPPROVAL of the Brownfield Area designation.

Please contact City of St. Augustine Utilities Department at (904) 825-1040, option #6 for additional information.

Location Map



7/11/2025, 4:49:49 PM

 SJCParcels

1:9,028
0 0.05 0.1 0.2 mi
0 0.1 0.2 0.4 km

St Johns County, Maxar, Esri Community Maps Contributors, FDEP, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

ArcGIS Web AppBuilder

Data content is created and/or maintained by the St. Johns County GIS Division, | City of St. Augustine | COSA | Azteca Systems, LLC - Cityworks® 2009 - 2025 | St. Johns County, Maxar | Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri,

NOT TO SCALE

[illegible][illegible][illegible]

POINT OF BEGINNING
SECTION 1
TOWNSHIP 1
RANGE 1
COUNTY 1

SCHEDULE B SECTION 2. CHICAGO TITLE INSURANCE COMPANY.
ORDER NUMBER: 10832694. COMMITMENT DATE: 3/7/2003

1. FORECLOSURE, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OF OTHER PARTIES, IF ANY, CREATED FIRST APPEARING IN THE PUBLIC RECORDS OF ATTACHING JURISDICTION TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRED INTEREST, OR THE VALUE OF PERSONS THE ESTATE OR INTEREST IN AFFECTED PROPERTY COVERED BY THIS FORM. SUPPORTING DOCUMENTS IF ANY, ARE REQUIRED.

2. TAXES AND ASSIGNMENTS FOR THE YEAR 2000 AND SUBSEQUENT YEARS, WHICH ARE NOT YET DUE AND PAYABLE, NOT A CURRENT MATTER.

4. DATES OF ASSESSMENTS WHICH HAVE NOT SHOWN AS EXISTING LINES IN THE PUBLIC RECORDS: NOT A SURVEY SUBJECT

5. ANY CLAIM THAT ANY PORTION OF THE INSURED LAND IS SUCCESSION LANDS OF THE STATE OF FLORIDA, INCLUDING SUBROGATION, FELLOWSHIP OR ARTIFICIALLY EXPOSED LANDS ACCORDING TO SUCH LAND SURVEYING DOCUMENTS IF ANY, NOT FILED: _____

6. ANY LAW PROVIDED BY COUNTY ORDINANCE OR BY CHAPTER 156, FLORIDA STATUTES, IN FAVOR OF ANY CITY, TOWN, VILLAGE OR PORT AUTHORITY FOR GRANTING SERVICE CHARGES FOR SERVICE BY ANY WATER, SEWER OR GAS SYSTEM SUPPLYING THE INSURED LAND: NOT A SURVEY SUBJECT

7. RECORDS OF SURVEYS INCLUDING ALL OR PART OF THE INSURED LAND UNDER UNRECORDED LEASES OR RENTAL AGREEMENTS: NOT A SURVEY SUBJECT

10. BOOK OF ANY EASEMENT PERPETUAL RECORDED IN DEED BOOK 226, PAGE 258, PUBLIC RECORDS OF ST. JAMES COUNTY, MISSISSIPPI, SUBJECT TO INTEREST.

11. UNPAID RECORDS IN OFFICIAL RECORDS BOOK 1791, PAGE 61, PUBLIC RECORDS OF ST. JAMES COUNTY, MISSISSIPPI, SUBJECT TO INTEREST.

12. CHANGING RECORDS IN OFFICIAL RECORDS BOOK 2043, PAGE 1539, PUBLIC RECORDS OF ST. JAMES COUNTY AND SHOWN ON SURVEY MAPS OF JOHN S. HERRICK, JR. PLATENT # 1, THEIR SUCCESSORS OR ASSIGNS.

ASSIGNMENT OF JUDGMENT RECEIVED FEBRUARY 13, 2018 IN OFFICIAL RECORDS BOOK 4002, PAGE 515, PUBLIC RECORDS OF ST. JOHNS COUNTY, (40 TO PARCEL 1) ATTACHED, ENCLOSED, AND ONLY SHOWS ONE SURVEY.

16. THE AVAILABLE RIGHTS OF THE PUBLIC TO USE THE WATERSHED WATERS COVERING THE LANDS DESCRIBED ON SCHEDULE A ARE A SURVEY, MAP.

17. RIGHTS, IF ANY, OF THE PUBLIC TO USE AS A PUBLIC BEACH OR RECREATION AREA ANY PART OF THE LAND COVERED BY THE SUBJECT PROPERTY AND THE NATURAL LAKE OF VEGETATION, BELIEF, EXTENSIVE LOW WATER LAKE, OR OTHER APPARENT ADJACENT LAKE REMAINING THE PUBLICLY USED FROM THE UPLAND PRIVATE AREA, ARE A SURVEY, MAPS.

64/15-18	BRADSHAW-NILES & ASSOCIATES, INC. SURVEYING AND MAPPING CONSULTANTS
----------	--

E-Mail: dbradshaw@bradshaw-sales.com

Page 89

The Property has direct access to RIBERIA STREET, a dedicated public street or highway.

- SET 1/2" IRON PIPE, LB 6025 - SET 4"x4" CONCRETE MONUMENT, LB 6025 - FOUND 4"x4" CONCRETE MONUMENT R/W - RIGHT OF WAY CR - CHORD R - RADIUS Δ - DELTA L - ARC LENGTH PBC - POINT OF BEGINNING CURVE T₂ - UTILITY POLE -B - BACK SIGHT	TABLE OF ABBREVIATIONS DNE - OVERHEAD SF - SEWER CATCH BASIN BTV - UNDERPASS UE - UNDERPASS TCG - UNDERPASS FM - UNDERPASS WL - UNDERPASS UTP - UNDERPASS MS - UNDERPASS TK - UNDERPASS WCU - UNDERPASS SPOT ELEVATION
--	--

PROJECT NUMBER 440-002-01	GENERAL NOTES: 1. ALL COORDINATES AND READINGS SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLAIN COORDINATE SYSTEM, NORTH AMERICAN DATUM 83. SURVEYED FOR THE EAST ZONE OF THE STATE OF FLORIDA, TRANSVERSE MERCATOR PROJECTION, AND BASED ON NATIONAL GEODETIC SURVEY TOWNSHIP 2. "UNCONVEYED CURS APP" = UNCONVEYED 3. "UNCONVEYED CURS APP" = UNCONVEYED
-------------------------------------	---

DATE: 05/04/2023
SCALE: 1"=100'
DRAWING No.: ALTA

LECT No. 1/3

Albert D
05/04/2023
FIELD WORK COMPLETED
Bradshaw

Digitally signed by
Albert D Bradshaw
DATE: 2023.06.13
14:04:43 -0400

ALBERT D. BRAUSHAW, P.S.M., FLORIDA DEPARTMENT OF NO. 3257

CERTIFIED TO:
CHICAGO TITLE INSURANCE COMPANY
SANC PARTNERS, LLC

THIS SURVEY IS FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON AND IS NOT VALID WITHOUT THE SIGNATURE OF THE CLIENT.

AND RAISED SEAL OF THE PROFESSIONAL SURVEYOR AND MAPPER OF FLORIDA SHOWN HEREON.

CHECKED BY: A.D.B.
FIELD BOOK/PAGE(S): 360/15-75, 362/1-13, 364/15-18

REV	DATE	BY	CKD	DESCRIPTION

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BRADSHAW-NILES & ASSOCIATES, INC.
SURVEYING AND MAPPING CONSULTANTS

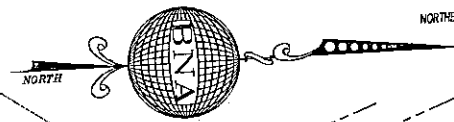


LICENSED BUSINESS NO. 6824
280 BUSINESS PARK CIRCLE, SUITE 410
ST. AUGUSTINE, FLORIDA 32095
(904) 829-2591 FAX: (904) 829-5070

E-Mail: dbradshaw@bradshaw-rules.com

Page 89 c

400 AND 404 RIBERIA STREET, SAINT AUGUSTINE, FLORIDA



POINT OF COMMENCEMENT
NORTHEAST CORNER OF MARSH LOT 3

40' R/W
SOUTH STREET
SOUTH STREET

MAR

BEGINNING

POINT OF B...

SECRET

100

OF NATIONAL BANK, ITS D

BE CERTIFIED FOR THE EXERCISE
OF THE PROFESSIONAL SEAL

TABLE 2. SUMMARY

[illegible]

DATE: 05/04/2023	SCALE FACTOR (CONTRACT) = 1:100000	SCALE FACTOR (CONTRACT) = 1:100000
SCALE: 1"=4'	SCALE FACTOR (CONTRACT) = 1:100000	SCALE FACTOR (CONTRACT) = 1:100000
DRAWING No.: ALTA	SCALE FACTOR (CONTRACT) = 1:100000	SCALE FACTOR (CONTRACT) = 1:100000
SHEET No. 2/3	SCALE FACTOR (CONTRACT) = 1:100000	SCALE FACTOR (CONTRACT) = 1:100000

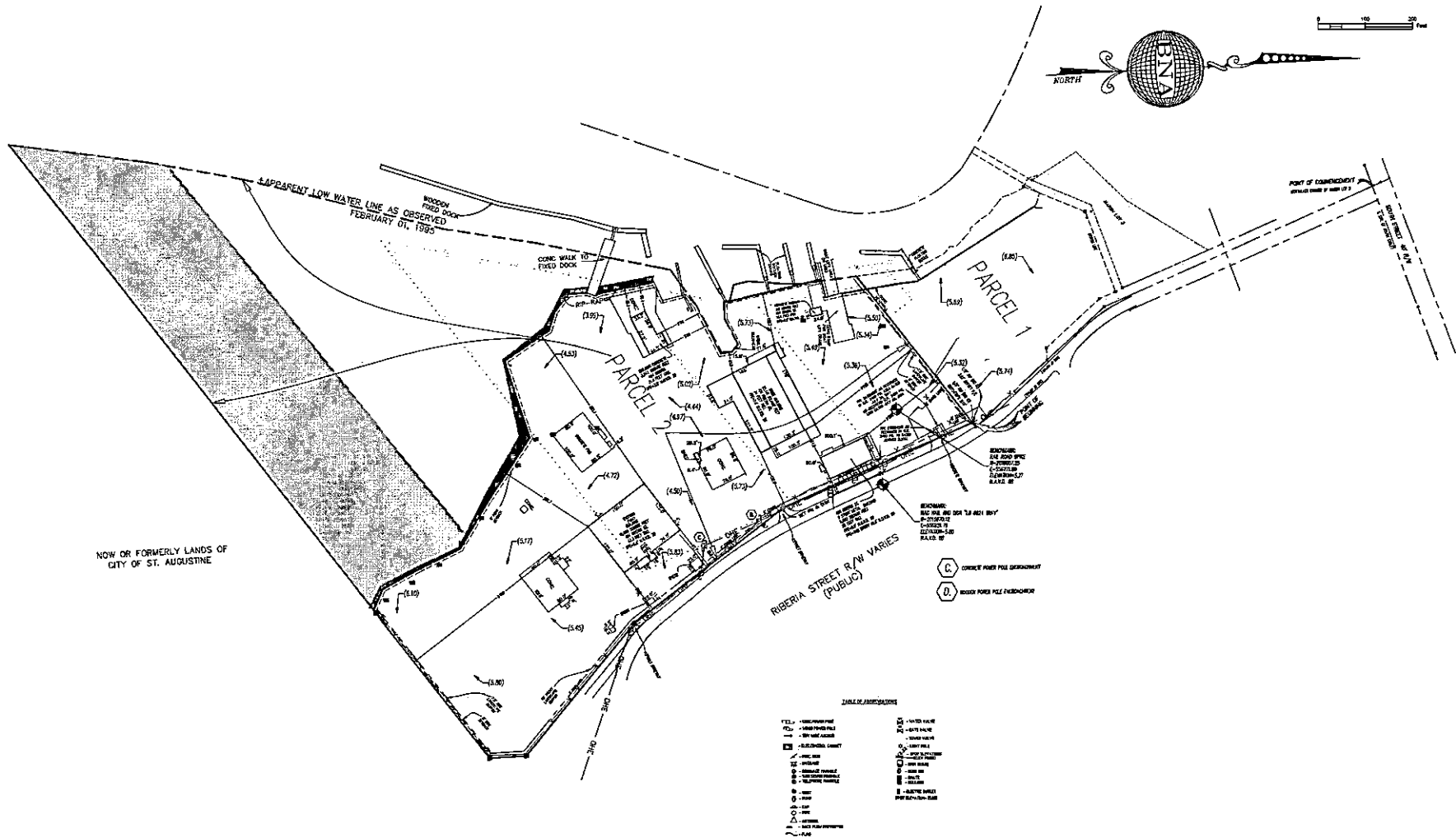
THIS SURVEY IS CERTIFIED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON AND IS NOT VALID WITHOUT THE SIGNATURE AND RASDED SEAL OF THE PROFESSIONAL SURVEYOR AND PAPER OF FLORIDA SUBSCRIBED HEREON.

[illegible]

BRADSHAW-NILES & ASSOCIATES, INC.

SURVEYING AND MAPPING CONSULTANTS
 LICENSED BUSINESS NO. 6824
 280 BUSINESS PARK CIRCLE, SUITE #10
 ST. AUGUSTINE, FLORIDA 32095
 (904) 829-2591 FAX: (904) 819-5070
 E-Mail: david@bradshaw-niles.com

MAP SHOWING ALTA/NSPS LAND SURVEY SURVEY OF: 400 AND 404 RIBERIA STREET, SAINT AUGUSTINE, FLORIDA



PROJECT NUMBER 440-002-01 DATE: 05/04/2023 SCALE: 1"=100' DRAWING No.: ALTA SHEET No. 3/3	BRADSHAW-NILES & ASSOCIATES, INC. SURVEYING AND MAPPING CONSULTANTS LICENSED BUSINESS NO. 4824 280 BUSINESS PARK CIRCLE, SUITE 410 ST. AUGUSTINE, FLORIDA 32093 (904) 819-2591 FAX (904) 819-7070 E-Mail: chadshaw@bradshaw-niles.com	CERTIFIED TO: CHESAPEAKE NATIONAL BANK, 275 BUCKINGHAM AVENUE, SAINT AUGUSTINE, FLORIDA 32084 THIS CERTIFICATE IS FOR THE EXCLUSIVE USE OF THE CLIENT. IT IS NOT VALID WITHOUT THE SIGNATURE AND SEAL OF THE PROFESSIONAL SURVEYOR AND PROPER OF FLORIDA. DO NOT REPRODUCE.	DRAWN BY: A.D.B. & T.C.H. CHECKED BY: A.D.B. FIELD BOOK/PAGE(S): 360/15-78, 362/1-13, 364/15-18 REV. DATE BY (CDD) DESCRIPTION
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F.S. 376.80(2)(c)
Supporting Documents

City of St. Augustine Brownfields Redevelopment Program
Application for Brownfield Area Designation

Please complete this application to initiate the brownfield area designation process if the property is located outside of a designated Brownfields Area, Community Redevelopment Areas, Enterprise Zones, Empowerment Zones, closed military bases, or the designated Brownfield Pilot Project Areas. It is important to complete all applicable sections and attach all necessary information. Section 376.80 of Florida Statutes (F.S.) establishes the legal requirements for an applicant, other than a local government, to request a brownfield area designation.

I. Property Information

Property Address 400 Riberia Street and 404 Riberia Street

Property Name St. Augustine Marine Center Site

City St. Augustine

State FL

Zip Code 32084

Property Size (acres or sq./ft.) 33.34 acres

Parcel I.D. (RE #) 2035400010 and 2035400000

City Council District

Property Use Code (if known)

Zoning District (if known)

FL DEP I.D.: Not Applicable

Applicant's Interest in Property; please select below.

- ☒ Owner
☐ Tenant
☐ Under Contract
☐ Option to Purchase/Lease
☐ Letter of Intent
☐ Other (If other, please describe) _____

Is the property subject to an enforcement action under the Comprehensive Environmental Compensation or Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), or Chapter 376 or 403, Florida Statutes? YES ☐ NO ☒

If so, please provide details below.

Are there outstanding property taxes due on the property? YES ☐ NO ☒

If yes, please explain. _____

Are there any liens on the property? YES ☐ NO ☒

If yes, please explain.

II. Project Description

Provide a brief description of current and past known property use(s). Boat building and repair facility, including offices, maintenance buildings, docks, vehicle parking and boat storage areas.

Provide a brief description of all environmental conditions and issues associated with the property.

Soil and groundwater appear to be contaminated with industrial contaminants at certain places on the Site associated with past boat building and repair operations. The primary contaminants of concern are volatile and semi-volatile organic compounds and metals. Additional assessment is needed to confirm the contaminants of concern.

Provide a brief description of anticipated plans for assessment and remediation of environmental conditions and issues associated with the property.

The Site will undergo assessment and remediation as required by 62-780, F.A.C. It is anticipated that institutional controls and engineering controls will be utilized.

Provide a brief description of the anticipated redevelopment plan.

The Site will be redeveloped with a new service building, a new boat barn storage building with an attached marina/shipstore, an outdoor patio and an office, and changes to the outdoor storage and facility drives.

Is the project consistent with the local Comprehensive Plan and a permitted use under the applicable local Land Development Regulations, as required per Section 376.80(2)(c)(3), F.S.?

Yes.

Or, will the proposed project involve a request for a change in Zoning and/or Land Use? If so, please provide a brief description of the circumstances associated with the anticipated request.

Provide a detailed statement describing how the property/project currently qualifies for a Brownfields Designation per Section 376.80, F.S.

The current property is underutilized and will be redeveloped to make better use of the Site. The property is impacted by contamination due to the discharge of industrial contaminants associated with boat building and repair, which will be assessed, remediated and brought to closure during redevelopment of the Site.

Provide reasonable assurance that sufficient financial resources are available to implement and complete the redevelopment plan and a rehabilitation agreement, as required per Section 376.80(2)(c)(5), F.S.

The applicant has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the site. SAMC Partners, LLC and our parent organization, Monument Marine Group, LLC, have completed multiple large scale projects for our 8 owned assets in the last 4 years all with varied scale and complexity. Previous redevelopments include a \$35M marine and landside complete redevelopment in Baltimore, Maryland, which received the "Small Marina of The Year award in 2023", a \$1.2M marine fuel redevelopment in Deltaville, Virginia, a \$1.7M landside and marine renovation in Georgetown, Maryland, and a \$320K master planning and permitting effort for a complete redevelopment in Hague, VA. In addition to these larger scale projects, we have also completed over \$4M of capital improvements, repairs, and maintenance across the 8 owned assets. Based on the credentials and record

of success in consummating the development of various commercial properties across the eastern seaboard, SAMC Partners, LLC has the necessary financial resources to implement and complete the site development pursuant to a rehabilitation agreement and redevelopment plan.

Links to our owned/previously owned assets is below:

<https://monumentmarinegroup.com/our-marinas/>

<https://www.nomadmarinasatnorview.com/>

<https://skipjackcovemd.com/>

<https://colespointmarina.com/>

Provide information on how the redevelopment project will improve economic productivity of the area, and whether a minimum of five (5) new permanent jobs will be created, as required per Section 376.80(2)(c)(2), F.S.

The rehabilitation and redevelopment of the proposed brownfield site will enhance the area's economic productivity and result in the creation of at least five permanent full-time jobs. Upon completion, the project is expected to generate approximately 15 full-time positions, exclusive of those tied to cleanup or construction activities. This job creation will contribute to the local economy through payroll taxes and salaries, further stimulating regional growth.

The project will significantly boost economic activity by attracting high-value boaters and supporting a range of maritime jobs. Featuring 260 hurricane-rated slips for vessels over 50 feet and more than 30,000 square feet of dedicated service and office space, the facility will foster skilled employment in marine repair, painting, and customer service. With its concierge services, direct ocean access, and state-of-the-art amenities, the development will draw tourism and increase consumer spending in local hospitality and retail sectors. Backed by long-term investment, the project will also enhance property values and solidify St. Augustine's position as a premier marine destination.

Please attach any non-confidential environmental assessment documentation associated with the project. This includes Phase I and Phase II Reports, Site Assessment Reports, and Remedial Action Plans. Site assessment activities are in the process of being commenced. Please see attached Environmental Site Summary and Future Plans Memorandum.

III. Applicant Information

Name Doug West Corporation SAMC Partners, LLC

Address 222 Seven Avenue Building 14-200

City Annapolis

State MD

Zip Code 21403

Phone 561.601.2590 Fax _____

Email dwest@oasismarinas.com

Legal Status of Applicant

- ☐ Individual/Sole proprietorship
☒ Limited Liability Company
☐ Florida Corporation

- ☐ Out-of-State Corporation
☐ General Partnership
☐ Limited Partnership

State of Incorporation FL

Name of current property owner if different from Applicant Not applicable

Address

City _____ State _____ Zip Code _____

Phone _____ Fax _____ Email _____

If the current property owner is not the Applicant, please provide information from the current owner that they do not object to the property being designated a brownfield area.

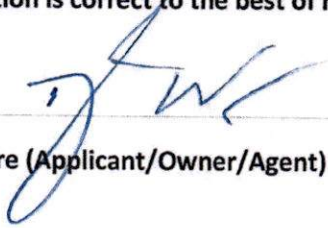
Has the Applicant previously spoken to and/or met with the City Brownfields Redevelopment Office?

YES ☒ NO ☐

Please list the types of State or Federal assistance/incentives the Applicant is interested in.

State of Florida Voluntary Clean up Tax Credits (VCTC); Statutory Liability Protection

I am applying for a designation by the City of St. Augustine of the subject property as a brownfield area, under the process established by Section 376.80, F.S. I affirm that the content presented in this application is correct to the best of my knowledge.


Signature (Applicant/Owner/Agent)

5/2/2025
Date

ORDINANCE NO. 2024-34

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 30.15 ACRES OF PROPERTY LOCATED WEST OF RIBERIA STREET AND SOUTH OF CERRO STREET IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF CITY OF ST. AUGUSTINE INDUSTRIAL AND WAREHOUSING (IW) TO THE CITY CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that property identified by the attached legal description(s) as containing approximately 30.15 acres of land, located west of Riberia Street and south of Cerro Street being more fully described herein, should be rezoned. This includes rezoning the property commonly known as 404 Riberia Street to the San Sebastian River – St. Augustine Marine Center PUD by the attached narrative.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. The following described property, containing approximately 30.15 acres of land, located west of Riberia Street and south of Cerro Street within the City of St. Augustine, and identified by the attached legal description(s), is hereby rezoned from the classification of City of St. Augustine Industrial and Warehousing (IW) to the City of St. Augustine classification of Planned Unit Development (PUD).

Section 2. The City Planning and Building Director is hereby authorized and directed to change the Zoning Atlas for the City of St. Augustine, Florida to reflect the rezoning of the above-described land.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed. Nothing herein is intended to vest this PUD from amendments to the city's municipal code or comprehensive plan, as may be enacted from time to time.

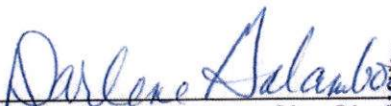
Section 4 Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. Effective Date. This ordinance shall be effective thirty-one (31) days after adoption and is effective upon issuance of a final order by the Department of Economic Opportunity or the Administration Commission.

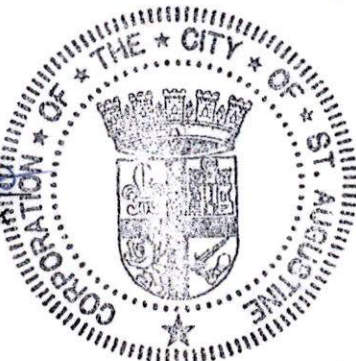
PASSED by the City Commission of the City of St. Augustine, Florida, this 24th day of January, 2025

ATTEST:


Nancy Sikes-Kline, Mayor-Commissioner


Darlene Galambos, City Clerk

(SEAL)



NOTICE OF PROPOSED ENACTMENT OF ORDINANCE 2024-34
BY THE CITY OF ST. AUGUSTINE, FLORIDA

NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING TO BE HELD BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE CONCERNING THE **SECOND READING OF ORDINANCE 2024-34**. THE PUBLIC HEARING WILL BE HELD DURING THE REGULAR CITY COMMISSION MEETING ON **MONDAY, JANUARY 27, 2025**, BEGINNING AT 5:00 P.M., IN THE ALCAZAR ROOM, 1ST FLOOR, WEST WING, CITY HALL, 75 KING STREET, ST. AUGUSTINE, FLORIDA. PUBLIC COMMENTS ARE INVITED ON THE FOLLOWING MATTER:

ORDINANCE NO. 2024-34

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 30.15 ACRES OF PROPERTY LOCATED WEST OF RIBERIA STREET AND SOUTH OF CERRO STREET IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF CITY OF ST. AUGUSTINE INDUSTRIAL AND WAREHOUSING (IW) TO THE CITY CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

The complete legal description by metes and bounds, the ordinance, and related documents can be obtained from the City Clerk's Office, City Hall, Lobby B, 2nd Floor, 75 King Street, St. Augustine, FL 32084, during the hours of 8:00 A.M. and 5:00 P.M. except weekends and holidays. In accordance with Florida Statute 286.0105; "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on notice. Telephone: City Clerk (904)825-1007; or 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

January 17 2025

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AFFIDAVIT OF PUBLICATION

City Of St Augustine
Not specified
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STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a Govt Public Notices, was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

01/17/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 01/17/2025

Ryckee Jacobs
Legal Clerk

Keegan Moran
Notary, State of WI, County of Brown

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KEEGAN MORAN
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San Sebastian River ST. AUGUSTINE MARINE CENTER Planned Unit Development

APPROVED

January 27, 2025 (by City Commission)

Request:

Request to rezone this historic Marine Industrial, city-designated Industrial & Warehousing parcel at 404 Riberia Street to Planned Unit Development (PUD), to allow for renovations and upgrades to this deteriorating property, so it can continue to be utilized in a consistent manner with the current land uses already being employed thereon and consistent with the other similar, marine, working waterfront uses along this area of the San Sebastian River corridor. This rezoning will allow the owner to maintain and promote the historical uses of this property and area, continuing the current uses, while updating and refreshing the property to provide a restructured, architecturally pleasing streetscape with the proposed enclosure of some of the boat storage on the site, including the architecturally-designed, boat storage building, so as to beautify the site by enclosing a number of the boats stored on site and to contribute to the promotion of the use of our city's natural resources as advocated by the goals, objectives and policies of our comprehensive plan. Although the uses will remain the same, this rezoning is required to further define this renovated site and to allow for the appropriate and compatible characteristics for these new architecturally pleasing buildings intended to enclose some boat storage and the painting and repair that has existed on the site for many decades. This additional storage capacity will interact with all the uses already allowed onsite and will continue to promote the historical use of this property and an appreciation for and continuation of the working waterfront area as encouraged by our state statutes and within our own comprehensive plan, particularly for this area and this property specifically. The changes to the property will reflect the uses that have been allowed on this property for decades enhancing the storage ability that is specifically related to the marine industrial uses within the land use of this property as assigned by our city for many years. Accordingly, the approval of this updated plan, with the new architecturally pleasing and specifically sited, enclosed storage and marine industrial buildings, will allow this city-designated, marine industrial property to function as designated by the city and to continue as a positive economic engine and a grand addition in the city-designated area for these types of uses. Finally, these updates are specifically advocated within our comprehensive plan and within our state statutes for working waterfronts, as they directly help to meet the overwhelming demand for boat storage/usage and enhance our citizens' and visitors' enjoyment of our natural resources.

All updates, rehabilitation and additions to the current structures will meet and exceed all city codes and regulations. This rezoning will allow the applicant to rehabilitate and continue to update this historically marine industrial property, refining the historical boat storage and repair areas, through an overhaul of the buildings and boatyard with the stated intent of creating a more architecturally pleasing streetscape while updating the property to refresh and renovate the current structures, adding architecturally-pleasing design and finishing, including some additions and partial demolitions, to update this historic marine industrial parcel into the contemporary working waterfront property that will continue to serve our great city and promote and further

the goals, objectives and policies advocated by our comprehensive plan and envisioned for this property, all as depicted on the PUD site plan map.

The site is approximately 30.15 acres with hundreds of feet of frontage on the San Sebastian River corridor and currently contains many, long-time working waterfront warehousing and marine industrial uses, within this city-designated, marine industrial / industrial & warehousing district, including several large structures, offices, an open boatyard, boatyard repair and painting bays and storage, several docks (as recently ratified by the city with licenses for bottomland usage), outdoor storage/repair and boat launching and retrieval facilities. All will be refreshed and renovated, including some additions and partial demolitions, to help to renovate this city-designated, marine industrial parcel into the contemporary working waterfront property that will continue to promote and further the stated goals, objectives and policies advocated by our comprehensive plan and envisioned for this property. Of note, not only has the property been historically categorized by the city as marine industrial, located along the San Sebastian River corridor in an area designated by the city for these uses, specifically including boat storage buildings of the requested size and height, the property has also historically been categorized, assessed and taxed by the SJC Property Appraiser and SJC Tax Collector with a Use Description of City of St. Augustine Industrial, Warehousing, Storage & Transit Terminals.

Applicant / Owner:

St. Augustine Marine Center (SAMC PARTNERS, LLC)
404 Riberia Street
St. Augustine, FL 32084

Authorized Agent for the Applicant / Owner:

James G. Whitehouse, Esq.
St. Johns Law Group
104 Sea Grove Main Street
St. Augustine, FL 32080

Exhibits:

Exhibit A	Application
Exhibit B	Legal Description
Exhibit C	Development Plan Narrative
Exhibit D	Location Map/Aerial
Exhibit E	Proof of Ownership/Deed
Exhibit F	Authorizations
Exhibit G	Master Site Plan

Parcel Identification Number: 203540-0000

Exhibit "C"
DEVELOPMENT PLAN NARRATIVE

**THE SAN SEBASTIAN RIVER - ST. AUGUSTINE MARINE CENTER
PLANNED UNIT DEVELOPMENT**

SECTION I- INTRODUCTION AND REQUEST

This is an application for a rezoning of this historic parcel to Planned Unit Development (PUD). This rezoning will allow for renovations and upgrades to this deteriorated property, so it can continue to be utilized in a consistent manner with the current land uses already being employed thereon and the other similar, marine, working waterfront uses along this area of the San Sebastian River corridor. This rezoning will allow the owner to maintain and promote the historical uses of this property and area, continuing the current uses, while updating and refreshing the property to provide a restructured, architecturally pleasing streetscape with the proposed enclosure of some of the boat storage on the site, including the architecturally-designed, boat storage building, so as to beautify the site by enclosing a number of the boats stored on site and to contribute to the promotion of the use of our city's natural resources as advocated by the goals, objectives and policies of our comprehensive plan. Although the uses will remain the same, this rezoning is required to further define this renovated site and to allow for the appropriate and compatible characteristics for these new architecturally pleasing buildings intended to enclose some boat storage and the painting and repair that has existed on the site for many decades. This additional storage capacity will interact with all the uses already allowed onsite and will continue to promote the historical use of this property and an appreciation for and continuation of the working waterfront area as encouraged by our state statutes and within our own comprehensive plan, particularly for this area and this property specifically. The changes to the property will reflect the uses that have been allowed on this property for decades enhancing the storage ability that is specifically related to the marine industrial uses within the land use of this property as assigned by our city for many years. Accordingly, the approval of this updated plan, with the new architecturally pleasing and specifically sited, enclosed storage and marine industrial buildings, will allow this city-designated, marine industrial property to function as designated by the city and to continue as a positive economic engine and a grand addition in the city-designated area for these types of uses. Finally, these updates are specifically advocated within our comprehensive plan and within our state statutes for working waterfronts, as they directly help to meet the overwhelming demand for boat storage/usage and enhance our citizens' and visitors' enjoyment of our natural resources.

The updates to the property will comply with all the codes and regulations as required by the City of St. Augustine Zoning Code ("Zoning Code"). This Application is filed on behalf of the Owners, St. Augustine Marine Center (SAMC PARTNERS, LLC). The Applicant is requesting this rezoning to PUD in accordance with the City of St. Augustine Zoning Code. This rezoning will maintain the current Marine Industrial future land use and will reflect a mixture of the same types of marine industrial uses as are currently present along this San Sebastian River corridor as well as permitting the typical boat storage building height and a continuation of the marina uses, as updated, employed thereon for years.

This parcel fronts upon the main corridor of the San Sebastian River and is directly across the river from the recently approved Cats Paw Marina boat storage building of a similar size and height and just up from the St. Augustine Shipyards boat storage facility of similar use and height. This San Sebastian River corridor is the city-designated area for these specific types of marine industrial uses, marina uses and boat storage building uses, all in harmonic compatibility with this working waterfront area of our historic living city, much as it has existed for years on this particular, marine industrial, boat storage and repair site.

Finally, the owner has extensive experience with this type of project based upon their work and management of many extremely successful and compatible marine centers throughout the country and they look forward to implementing the same type of success into this marine center and the historical working waterfront uses hereon.

As stated, the overall objective of the PUD is to refresh and update this parcel, allowing a more architecturally pleasing and re-organized property, through renovations and upgrades to this deteriorated property, so it may be utilized in a consistent manner with the surrounding San Sebastian River corridor, marine industrial, marina and boat storage properties, allowing the owner to maintain the decades-old historical uses on this property and the current structures thereon, while updating the property to provide the enclosure of uses to improve the streetscape as well as allowing them to continue to meet the economic demands of our citizens and visitors for both boat repair and storage as a means of continuing to promote and meet the goals, objectives and policies of our comprehensive plan.

A. Location/Surrounding Areas: The property within the PUD currently consists of approximately 30.15 acres, described by the Legal Description as included in the Proof of Ownership documents, attached. The property is addressed at 404 Riberia Street and is located as an historically significant and distinctive property on the San Sebastian River corridor.

B. Ownership/Agreement: The Property is currently owned by St. Augustine Marine Center (SAMC Partners, LLC), as shown by the Proof of Ownership documents in the Application materials. Evidence of authorization for representation is attached.

Applicant hereby agrees and stipulates to proceed with the proposed development in accordance with PUD Ordinance as adopted by the City of St. Augustine City Commission with the amendments as outlined. The Applicant also agrees to comply with all conditions and safeguards established by the Planning & Building Department and the Planning & Zoning Board (PZB), Historic Architectural Review Board (HARB) and the City of St. Augustine City Commission.

FLUE Policy 6.6.2 Marine Industrial

This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the City.

Maximum lot coverage of 80%; Marine related uses approved as a Planned Unit Development (PUD); maximum lot coverage 50%; maximum height restriction of 50 feet.

SECTION II- APPLICATION

A. Permitted Uses: The development will be constructed in an orderly manner. The property currently contains buildings that will be renovated and rehabilitated with the additions indicated on the MDP map, including the addition to the repair building bays and the boat storage building to the back of the office uses. This rezoning will allow the applicant to update this historically marine industrial property, which has served the city for many years, through a complete overhaul of the buildings with the stated intent of renovations and upgrades to this deteriorated property and adding an enclosure for some of the current and additional boat storage on site. The applicant will be allowed to utilize this current mix of structures and uses and to alter their forms/configurations as depicted on the site plan attached hereto. In sum, the applicant will be granted the allowed uses in Section 28-226 - Industrial and Warehousing zoning district, as currently allowed, updated to reflect the current ten foot minimum setback from any public road and eight foot fence requirement for outdoor boatyard areas that have historically been present on this property within those areas, and approving the fifty foot height limit as allowed pursuant to the marine industrial future land use. Additionally, the Permitted accessory uses and structures and the Permissible uses by exception, as allowed in Section 28-226 - Industrial and Warehousing zoning district, may be allowed as approved under the Code. This PUD shall not relieve the Applicant, its successors and assigns, of their obligations from complying with all Federal, State and local applicable laws and does not otherwise limit, nor expand, the authority of the City of St. Augustine to enforce such laws nor limit, nor expand, defenses available to the property owner. Further Uses/changes to the uses described shall be by amendment to the PUD.

More specifically, St. Augustine Marine Center PUD business activities, renovations and improvements include water dependent and water-related type marina-based uses pursuant to the Marine Industrial and Open Land allowable uses for this location, including Boat Yard, Boat Storage, Boat Repair, Boat Painting, Boat Sales, Boat Rental, Boat Club, Boat Building, Yacht Yard, Yacht Storage, Yacht Repair, Yacht Painting, Yacht Sales, Yacht Transport, Marine Electric, Marine HVAC, Marine Hydraulic, Carpentry, Canvas & Upholstery Shop, Wash & Detailing, Propeller Repair, Welding, Fabrication Shop, Outboard Service, Engine Service, Engine Sales, Electronics Service, Electronics Sales, Electronics Installation, Retail Sales, Ship Store - a marine related retail store for supplies and provisions, Retail Tenancy, Retail Office Space, marina, marine dockage and mooring facilities, fueling facilities, enclosed storage, temporary outdoor dry staging for boat washing and service, trailer storage, professional and administrative offices, parking and pedestrian sidewalks and paths, and other accessory uses related to marine operations, including onsite captains' lounge with facilities. And excluding hotel, motel, full-service restaurant and special event venue.

B. Development Standards for NEW Structures within the PUD: The attached site plan depicts the proposed interactive site plan and layout of the structures and uses with partial demolition and additions for the uses proposed. The applicant will be allowed to utilize the current mix of structures and uses and to alter their forms/configurations as provided in the site plans attached hereto. In sum, the applicant will be allowed to rehabilitate and reinvigorate this property as presented. No material departures from this site plan are permitted without authorization of the PZB. In addition, the following specific criteria shall apply.

1. **Maximum lot coverage:** Fifty percent maximum (50%)

2. **Maximum building height:** Fifty (50) ft measured pursuant to City Code.
3. **Parking:** Parking spaces will be provided per code.
4. **Signage:** Size and construction of all signs within the property will be in conformance with the City of St. Augustine Sign Ordinance requirements.
5. **Stormwater:** Stormwater management will be in compliance with the regulations of the City of St. Augustine and conform with the permit requirements established by the St. Johns River Water Management District.
6. **Access:** Access to the property will be provided per the entrances designated on the MDP map / site plan.
7. **Fencing:** All existing fencing may remain on the Property or may be modified in accordance with the plan as approved; as such, eight-foot opaque fencing will be provided along the east and south sides of the property adjacent to the boatyard replacing the current deteriorating fencing. Other existing fencing may be replaced as desired by the Applicant.
8. **Utilities:** All electrical and telephone lines are installed on the site: Electrical power is provided by Florida Power and Light Company or other franchised utility provider. Directional security lighting may be provided as needed.
9. **Potable Water:** Potable water will be provided by COSA via existing connections.
10. **Fire Protection/Assessment:** Fire protection will be afforded by fire hydrants in accordance with City standards and buildings will provide fire protection systems as required by code. Applicant will comply with the non-ad valorem assessment for fire services adopted by the City through Ordinance Number 97-25 and Resolution Number 97-04. This will include the re-adoption or continuance on an annual basis of such assessment, by Resolution of the City Commission.
11. **Sanitary Sewer:** The development is served by central sewer collection from the City of St. Augustine. Any extensions shall be in accordance with City requirements and construction shall conform to current permit standards.
12. **Sidewalks:** A six (6) foot sidewalk will be installed along Riberia Street.
13. **Design:** It is the intent of the applicant/owner to continue the current and long-standing uses on this marine industrial property through renovations and upgrades to this deteriorated property, so it may be utilized in a consistent manner with the surrounding San Sebastian River corridor, allowing the owner to maintain the historical marine industrial, working waterfront nature of this property and a reuse and renovation to much of the historical structures thereon, while updating the property to provide the proposed, architecturally pleasing boat storage enclosure at the same height and similar size to those recently approved along this San Sebastian River corridor, to continue to further our citizens and visitors enjoyment of our city's natural resources as advocated by our comprehensive plan. Further, the increased landscaping plan as presented is adopted as part of this PUD to be implemented.

SECTION III- MAINTENANCE

This Planned Unit Development will be owned and operated by the Applicant and/or its successors/assigns. The Applicant, its successors and/or assigns shall be responsible for all improvements made to the site and shall maintain the site in a clean and orderly manner in accordance with all provisions of this PUD and conditions included with the adopting ordinance. All facilities are to remain private and will not be dedicated to the City of St. Augustine. The Applicant reserves the right to transfer the ownership of the PUD or portion thereof to multiple entities, providing maintenance agreement(s) between any property owner/owners has been established which would provide for all maintenance and other requirements as stipulated herein.

SECTION IV- PUD ORDINANCE CRITERIA

Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future land Use Map category for the property.

Response: THE SAN SEBASTIAN RIVER - ST. AUGUSTINE MARINE CENTER PUD, as proposed, promotes and is consistent with the goals, policies and objectives of the Comprehensive Plan, including all of the following:

FUTURE LAND USE ELEMENT

Overall Goal: Ensure that the character, density, intensity, and location of all land uses provide a system for orderly growth and development that achieves a balanced natural, physical and economic environment to enhance the quality of life for all residents of the City of St. Augustine.

FLUE Goal 1 Natural Resources: Preserve and protect the City's natural resources by establishing a pattern of development that is harmonious with the City's natural environment.

FLUE Objective 1.1: The City shall coordinate future land uses with the appropriate topography and soil conditions to conserve, appropriately use and protect the land and resources.

FLUE Policy 1.1.1: The City shall use the latest version of the Flood Insurance Rate Maps (FIRM) promulgated by the Federal Emergency Management Agency (FEMA) to determine the location of the 1% or 100-year floodplain and flood prone areas in the City. The City shall provide specifications for regulating development and land use activities within these areas within the Land Development Code (LDC). These specifications will include Development within the FEMA 1 % or 100-year flood hazard zone is to be constructed so that the lowest floor elevation is at least one foot above the base flood elevation as established by the FEMA Flood Insurance Rate Maps; Any development within a flood prone area should strive to maintain the natural topography and hydrology of the development site.

FLUE Policy 1.1.2: During the review of requests for plan amendments, top vegetation, wildlife habitat, flood hazard, the 1 % or 100-year flood plain and soils for the areas to be amended should be considered as part of the plan amendment process.

FLUE Policy 1.1.6: Any development, including development within a flood prone area, will strive to maintain the natural topography and hydrology of the development site as much as possible and provide for drainage and stormwater management identified in the Infrastructure Element, open space requirements as addressed in the Recreation and Open Space Element, and safe and convenient on-site traffic flow, considering the needed vehicular parking as

addressed in the Transportation and Mobility Element. Open space requirements will meet the LOS adopted in the Recreation and Open Space Element; On-site traffic will consider that adjacent properties provide interconnections to reduce requirements for road trips; and, Parking requirements shall be specified in terms of the number of parking spaces outlined in the land development code (LDC).

FLUE Policy 1.1.7: The City shall maintain and enhance the safety and efficiency of the arterial and collector road system and minimize transportation conflicts associated with development by coordinating the driveway permitting process increasing interconnection between adjacent developments and encouraging implementation of the City's mobility plan.

FLUE Policy 1.1.8: Development regulations shall encourage street, pedestrian and open space designs that discourage nonresidential through-traffic in residential neighborhoods, but that encourage energy and time-efficient access points and interconnections between residential areas.

FLUE Policy 1.1.9: All development shall provide for safe, convenient, and appropriately designed traffic circulation on the site, including provisions for needed parking.

FLUE Policy 1.1.10: The development approval process shall ensure that new development and redevelopment is consistent with natural drainage patterns. The approval process shall require appropriate stormwater management systems consistent with the adopted drainage levels of service, natural drainage patterns and soil conditions.

FLUE Policy 1.1.11: The developer/owner of any site shall be responsible for the on-site management of storm water in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed pre-development conditions.

FLUE Objective 1.2: The City of St. Augustine shall ensure the protection of natural resources through implementing the following policies, and the protection program outlined in the Conservation and Coastal Management Element.

FLUE Policy 1.2.1: The protection of natural resources shall be accomplished by one or more of the following techniques, based on the degree of protection required: Limitations on development density and intensity; Limitations on building placement, such as required clustering of allowable development on non-sensitive portions of a site; Limitations on building coverage or impervious surface coverage; Requirements for setbacks and landscaped buffers sufficient to mitigate or eliminate impacts; Evaluation of proposed plan amendments to ensure that they do not contribute to urban sprawl and fail to protect natural resources; Minimize land use conflicts; Achieve flexibility, efficiency, and cost reduction in the provision of services and infrastructure; and Reduce natural hazard risks to life and property.

FLUE Objective 2.1: The City shall coordinate future land uses with the availability of facilities and services.

FLUE Policy 2.1.1: As part of the City's permitting process, facilities and services shall meet the established level of service standards and shall be available to serve the impacts of development, or development orders and permits shall be specifically conditioned on the availability of the facilities and services necessary to serve the proposed development.

FLUE Policy 2.1.3: The City shall encourage the development of undeveloped pockets and

enclaves within developed areas to utilize existing facilities efficiently and reduce urban sprawl.
FLUE Objective 2.2: Development, redevelopment, land use plan amendments and changes to the zoning of a site shall be coordinated with the availability of adequate facilities and services.

FLUE Policy 2.2.1: The City's land use plan shall prioritize infill, redevelopment and mixed-use developments, as well as compact and contiguous developments within the City of St. Augustine.

FLUE Objective 3.2: The City shall encourage redevelopment and renewal of areas that are exhibiting evidence of decline (i.e., disproportionate number of vacant, dilapidated and/or substandard structures) or blight through redevelopment programs and through maintaining land development codes that contain standards and procedures to encourage redevelopment where desirable.

FLUE Policy 3.2.3: The City shall actively pursue and participate in redevelopment projects that will add to the City's quality of life and economic vitality while balancing the city's character and authenticity.

FLUE Goal 5 Urban Sprawl: Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development or redevelopment and establishing energy efficient land use patterns.

FLUE Policy 5.1.2: The City shall encourage infill and redevelopment through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

FLUE Objective 6.6: Industrial Categories: The industrial category is established to provide sufficient land for existing and anticipated future industrial needs, including working waterfronts and requisite support services.

FLUE Policy 6.6.2 Marine Industrial: This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the City. Maximum lot coverage of 80%; maximum height restriction of 35 feet. Marine related uses approved as a Planned Unit Development (PUD): maximum lot coverage 50%; maximum height restriction of 50 feet, and two (2) dwelling units per acre.

FLUE Goal 9: Economic Development Promote economic development in an effort to provide a variety of employment opportunities, create a sustainable future, and encourage a positive business climate.

FLUE Policy 9.1.2: The City shall work towards a variety of policies within the Comprehensive Plan and land development code that support and encourage commercial and industrial development within the City and surrounding area. This includes encouraging a mix of uses in the city to promote accessibility to a variety of uses. This includes strengthening and diversifying the local economy. This includes redevelopment and revitalization efforts, including aesthetic improvements to encourage commercial and industrial investment within the City of St. Augustine. This includes the promotion of uses that are commercial or industrial that support, promote or are compatible with the urban character of the city.

Conservation and Coastal Management

CCM Policy 2.1.1: The City maintains three (3) Conservation Overlay Zones. The boundaries of the Conservation Overlay Zones shall be determined on a site-specific basis during site plan review of each development proposal. Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers, boat docks, and other water dependent uses, including boat ramps and marinas, shall be the primary uses within this Conservation Overlay Zone. Conservation Overlay Zone 2 allows for all the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off street parking areas and residential and commercial development, providing that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 restricts uses and other development and performance standard requirements within this zone including tree canopy and tree removal governed by the City's Comprehensive Plan, including the underlying Future Land Use Category, and the City's land development regulations.

CCM Policy 2.1.2: The City shall continue to implement the adopted Comprehensive Plan by including all land development regulations governing the use of land in the City Code. All applications for development shall be subject to site plan review by the City. Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover or cause the removal of significant trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and use to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation. Development in Conservation Overlay Zone 3 must retain either: (1) at least twenty-five (25) percent of the trees on the site and all healthy trees larger than twelve (12) inches diameter breast height (dbh); or (2) fifty (50) percent of the trees on the site, unless approved via a public hearing.

CCM Policy 2.1.3: Development in Conservation Overlay Zones shall conform to all requirements of the Federal Emergency Management Agency (FEMA) relating to flood control and prevention. Finish floors must be constructed at or above the base flood elevation plus any defined free board established prior to a Certificate of Occupancy being issued for the structure, the City shall continue to require an Elevation Certificate signed by a licensed engineer or surveyor certifying that the lowest floor of the structure has been constructed at or above the established base flood elevation plus any defined freeboard. The City shall continue to maintain three (3) conservation overlay zones: Conservation Overlay Zone 1 for the protection of habitat waterward of the most restrictive jurisdictional line; Conservation Overlay Zone 2 for the protection of natural habitat one hundred feet (100') landward of the most restrictive jurisdictional line; and Conservation Overlay Zone 3 for the protection of natural habitat beyond one hundred feet (100') landward of the most restrictive jurisdictional line. Applications for development in any of the Conservation Overlay Zones shall be evaluated according to the following criteria: (1) Site specific conditions. (2) The relationship of the site to adjacent properties, bodies of water and surrounding conservation zones. (3) Natural and proposed drainage patterns. (4) Effect of point and nonpoint discharge in the marine environment. (5) Proposed soil stabilization and erosion control methods. (6) Impact on floodplain. (7) Impact of

development on vegetative and animal communities. (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials. (9) Effect of shade on vegetation and shellfish. (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion. (11) Impact of development on shoreline by linear feet and percent of site. (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site. (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes. (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site. (15) Impact of development on water quality. (16) Impact of development on shellfish and on commercial and sport fish and waterfowl. (17) The City shall pursue no net loss in wetlands by both amount and type of community. (18) Require a wildlife habitat survey for large developments for the purpose of restricting activities known to adversely affect the survival of endangered and threatened species and protecting native vegetative communities from destruction by development activities.

CCM Objective 2.7: Permitted uses for shoreline and waterfront property will continue to give priority to water dependent uses and increase safe public access to Salt Run, the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The City Code will continue to allow water-dependent uses as permitted uses in all the zoning districts associated with land adjacent to the riverine environments.

CCM Policy 2.7.1: New marinas must meet all applicable requirements of state and federal permitting agencies, including the manatee protection guidelines established by the Department of Environmental Protection. In addition: 1. marinas should be located within one statute mile of passes or inlets; 2. marinas must be located in areas designated for such use by the Future Land Use Plan; 3. all marina basins shall be designated idle speed zones; 4. marinas must be constructed in naturally deep water to minimize dredging, and basins should be of sufficient depth to prevent stirring up of bottom sediments by boat propellers; 5. marinas should be constructed adjacent to upland high bluffs or in areas where the salt marsh has been subject to extensive past disturbance; 6. marina entrances should be located such that maximum tidal flushing and circulation occurs; 7. marina construction should include linear development, and docking space should be designed to minimize or avoid impacts on salt marsh or other native vegetation; and marinas should be served by municipal waste water systems and should have adequate solid waste collection facilities with frequent collection.

CCM Policy 2.7.2: The following performance standards shall apply to development of water dependent and water related uses: (1) compliance with all of the conditions of any regulatory agency permits required for the development; (2) compliance with any conditions established by the Planning and Zoning Board for development in a Conservation Overlay Zone discussed in this element; and (3) compliance with the Future Land Use Plan and all of the implementing development regulations contained in the City Code. Priorities for shoreline land uses and siting for water dependent and water-related uses are as established by the Future Land Use Plan and implemented by the City Code. Water-dependent and water-related uses shall continue to be permitted uses or permissible uses by exception in all of the zoning districts in the city.

CCM Policy 2.15.2: Development and redevelopment in the City will be consistent with or more stringent than the flood-resistant constructions in the Florida Building Code and applicable floodplain management regulations set forth in 44 C.F.R part 60.

Infrastructure Element

INFRA Objective 6.3: The City shall encourage the use of sustainable, low impact development (LID) strategies to address stormwater management for developments ranging from individual building sites to subdivisions to large, planned development.

INFRASTRUCTURE IMPACT ANALYSIS

An infrastructure impact analysis or equivalent impact analysis to clearly outline the project's potential impact on transportation networks, circulation patterns and infrastructure of the city.

The infrastructure impact analysis shall include site specific design improvements related to traffic circulation and the movement of pedestrians, bicycles and vehicles on and off-site.

Our expert traffic engineer's infrastructure impact analysis is attached with a summary of the project location, current and updated land use descriptions and the traffic impact analysis, reflecting the proposed reduction in trips based upon the proposed low traffic generating boat storage addition but removal of the currently permitted trips for the approved restaurant use, all as part of the proposed renovations and updates to the St. Augustine Marine Center at 404 Riberia Steet in the City of St. Augustine, Florida.

Trip Generation: Attached Table 01 summarizes the expected trips generated by the proposed updates, accounting for the removal of restaurant-related trips. The trip generation estimates were derived using rates and equations from the Trip Generation Manual, 11th edition by the Institute of Transportation Engineers (ITE).

As indicated in the table, the renovations are estimated to generate 3 AM peak trips (2 entering and 1 exiting) and 6 PM peak trips (3 entering and 3 exiting). The analysis demonstrates that the proposed changes will have a positive impact on infrastructure due to the reduction in trips from the removed restaurant.

Chindalur Traffic Solutions, Inc.



Rajesh Ramn K. Chindalur, P.E., PTOE
PE No: 77285

HISTORIC PRESERVATION ELEMENT

HP Goal

Maintain and enhance the historic integrity and ambiance within the City of St. Augustine while encouraging economic growth and the identification, Preservation, continued use and adaptive reuse of existing historic structures.

1. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

Response: Not in an HP district.

2. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

Response: The Development Plan Narrative, attached above, contains the required development conditions sought by Applicant, all of which are intended to meet the spirit and intent of this historically marine industrial, working waterfront area. A direct reuse, renovation, and addition to many of the current structures and continuation of the long-existing uses enhancing the same with major renovations to the site, docks and buildings shows that the inclusion of the grandfathered marina and dock uses as permitted uses as well as the inclusion of the permitted increased height for the architecturally pleasing, indoor boat storage and repair, as allowed pursuant to our comprehensive plan as outlined above, show that their intent fully complies with the spirit and intent of our code and comprehensive plan. Further, they will continue to meet the maximum lot coverage, signage, setbacks and all other allowable zoning uses as are required and allowed currently upon this parcel. Accordingly, through this planned development, they will also enhance this property. See, FLUE Objective 3.2 - The City shall encourage redevelopment and renewal of areas that are exhibiting evidence of decline (i.e.,

disproportionate number of vacant, dilapidated and/or substandard structures) or blight through redevelopment programs and through maintaining land development codes that contain standards and procedures to encourage redevelopment where desirable. See, FLUE Policy 3.2.3 -The City shall actively pursue and participate in redevelopment projects that will add to the City's quality of life and economic vitality while balancing the city's character and authenticity. Also see, FLUE Policy 3.2.6 - The City shall encourage economic development in all areas within the city limits by establishing standards in the LDC to: • Provide a variety of uses in close proximity; • Increase activity and community involvement; • Create a pleasant ambiance through design standards and scale; and, • Improve mobility for alternative modes of transportation and pedestrians. This project and rejuvenation/renovation of this property in fact meets and exceeds all of these characteristics and the permission for the additions as allowed by and promoted under our comprehensive plan actually continues our city's stated objectives of promoting alternative uses of transportation, through allowing additional access to our waterways as well as continuing to promote our citizens' and visitors' enjoyment of our natural resources.

3. Compliance with the intent and criteria in section 28-286.

Section 28-286 provides: The application of flexible land use controls to the development of land is often difficult or impossible within traditional zoning district regulations. In order to permit the use of more flexible land use regulations and to facilitate use of the most advantageous techniques of land development, it is often necessary to establish planned unit developments (PUD) in which development is in harmony with the general purpose and intent of the city's general planning program and comprehensive plan. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial or industrial developments, or combinations thereof, which are in keeping with overall land use density and intensity standards, and open space objectives. The intent of a PUD is to permit flexibility from the strict application

of setback, lot size, and other zoning district requirements, and provide performance criteria which:

- (1) Permit a creative approach to the development of land; and
- (2) Accomplish a more desirable environment than would be possible through the strict application of minimum zoning district requirements; and
- (3) Provide for an efficient use of land; and
- (4) Improve the appearance of the area through the preservation and enhancement of natural features, recreation areas, and open space; and
- (5) Provide an environment of stable character compatible with surrounding areas; and
- (6) Retain property values over the years.

Response: The Development Plan Narrative, attached above, demonstrates this proposed PUD's compliance with Section 28-286 and how this proposal is a perfect example for the use of planned unit development to encourage the restoration / renovation / reconstruction of this essential marine industrial property, which currently exhibits aged, presently deteriorating structures, while allowing for a creative use that is both in line with meeting the needs for additional boat storage, as approved on this San Sebastian River corridor, and promoting the goals, policies and objectives of our comprehensive plan, with little to no increased ill-effects on the area, since the uses are already allowed, and since the increased height is typical in the industry as recently approved across the river, and is specifically allowed by the terms of our own comprehensive plan. Further, the continued uses enhanced with the architecturally pleasing indoor boat storage will indeed provide an environment of stable character for this property and will greatly promote working waterfronts as encouraged by our state statutes while continuing to enhance the area, with this property not only retaining its value but also enhancing the value of the area and surrounding properties.

4. Compliance with section 28-288 and justification for any zoning uses.

Response: Section 28-288 provides "Any use which is permitted by the comprehensive plan may be included and approved in a PUD." A direct reuse, renovation, and addition to many of the current structures and continuation of the long-existing uses enhancing the same with major renovations to the site, docks and buildings shows that the inclusion of the grandfathered marina and dock uses as permitted uses as well as the inclusion of the permitted increased height for the architecturally pleasing, indoor boat storage and repair, as allowed pursuant to our comprehensive plan as outlined above, show that their intent fully complies with the spirit and

intent of our code and comprehensive plan. Further, they will continue to meet the maximum lot coverage, signage, setbacks and all other allowable zoning uses as are required and allowed currently upon this parcel. Accordingly, through this planned development, they will also enhance this property.

5. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance, or other related permit.

Response: *The restoration / renovation / reconstruction of this deteriorating property, while reusing and enhancing many of the current structures, will be commenced as a single phase, within a year of the approval of permits following the approval of the PUD, and it is anticipated to be completed in one phase, but in any case, shall be completed within ten (10) years of commencement.*

6. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.

Response: *No such areas exist on the Property.*

7. A termination date after which all or part of a PUD that has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.

Response: *It is the landowner's understanding and intent that should this Application be approved and then not acted upon timely, the existing zoning approvals would remain unchanged.*

8. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.

Response: Any reversion to a pre-PUD zoning district would not render the existing uses inconsistent with the Comprehensive Plan.

9. A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their application and at hearings relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing termination and reversion clauses.

Response:

The undersigned, for themselves and for their successors and assigns, acknowledges and agrees to be bound by every commitment made in this application and at hearings relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing termination and reversion clauses.

OWNER/APPLICANT:

Designated by: 7/2/2024
Brundan P. Quirk
St. Augustine Marine Center (SAMC PARTNERS, LLC)
404 Riberia Street
St. Augustine, FL 32084

SECTION V – CON OVERLAY ZONE

The Property as fully developed is located in Con Overlay Zones 1, 2 and 3 as identified within the City of St. Augustine Code. The outlined updates and renovations of the Property will conform to all applicable regulations for development within these zones, including obtaining all relevant permits or as described and approved as part of this PUD.

In accordance with our Code, these site improvements will have "no significant negative impact on adjacent natural systems by either individual or cumulative effect," will conform to the permitting requirements regarding water quality treatment provisions for the marshes and the vegetative communities contained therein, as well as eliminating harm to any animal, fish or shellfish life contained therein, and will avoid significantly changing or impairing and avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities and will actually enhance those vistas and scenic opportunities which are determined to benefit the public by providing additional docking and enclosed boat storage for our citizens, which in fact meets and furthers the goals, objectives and policies of our Comprehensive Plan in promoting increased access to and use of our city's natural resources and waterways. Additionally, the updates and renovations are in direct accord with our state statutes and legislature's stated intent to support and further working waterfronts in our great state.

The PUD will comply with the criteria established for development in the Conservation Overlay Zones according to the following criteria:

- 1. Site Specific Conditions:** The development plan, as depicted on the site plan, will update and renovate the current approved uses on site and will provide a new enclosed boat storage building that will be added on to the back of the professional office building and architecturally designed and landscaped to fully improve the streetscape along Riberia. The site development standards will be updated in accordance with modern stormwater management

standards in accordance with current regulations and best management practices. The site and building elevations will be in conformance with current FEMA flood zone standards.

2. The Site's Relationship to Adjacent Properties, Bodies of Water and Surrounding Conservation Overlay Zones: The updated development and continuation of present approved uses including the additional enclosed boat storage will remain in conformance with the long existing, city-designated, Marine Industrial land use, and will continue to be compatible with the character, mass, and scale of the site and San Sebastian River corridor area, including the current U.S. Customs boat building to the North, the boat repair/painting building onsite, the Shipyards enclosed boat storage to the Northwest across the San Sebastian River corridor and the recently approved, Cats Paw Marina enclosed boat storage immediately across the San Sebastian River corridor. All development will adhere to the standards for development within the Conservation Overlay Zones and will not impact any adjacent development within these zones.

3. Natural and Proposed Drainage Patterns: Stormwater collection, conveyance and treatment will be provided by approved and permitted systems as part of the improvements and updates in the PUD. Site-specific engineering and construction details, engineering stormwater modeling and drainage calculations for the proposed systems will be provided within the engineering and construction plans to the City of St. Augustine and St. Johns River Water Management District. There will be no adverse, detrimental or negative water quality impacts on site or to adjacent waterways.

4. Effect of Point and Non-point Discharge in the Marine Environment: Specifics of the stormwater management system will provide analysis of the point and non-point discharge and provide for protection of the marine environment.

5. Proposed Soil Stabilization and Erosion Control Measures: Details for soil suitability, geotechnical engineering and measures for construction will be provided within the engineering and construction plan documents required for local and State permitting.

6. Impact on Floodplain: Located along the San Sebastian River corridor, the Property is mostly within the AE designated flood zone. The stormwater management facilities will eliminate the potential for impacts to the neighboring community and environmentally sensitive areas, sometimes associated with the increase in flood zone elevation requirements.

7. Impact of Development on Vegetative and Animal Communities: The site has been fully developed and impacted for decades with the same uses as proposed to be updated, including structures for boat repair and storage and outdoor boat storage and marina uses. All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the updates and proposed redevelopment by our environmental scientist team.

8. Potential for Contamination Drainage, Storage of Pollutants and the Use of Poisonous Chemicals and Materials: The current development standards to be followed, as well as the new updated stormwater systems will reduce the potential for contaminated runoff associated with drainage from the site. The current and proposed uses will not provide for the use of poisonous chemicals or materials with any direct discharge or overland drainage flow to adjacent lands, waterways, or stormwater infrastructure. Any use of chemicals or materials on the Property will adhere to strict standards applicable to use, cleanup, and disposal in keeping with all local, State and Federal guidelines and regulations.

9. Effect of Shade on Vegetation and Shellfish: No construction is planned which would cause any new or unnatural shading. As stated, the site is fully developed and has been for years.

10. Effect of Boat Wake and Boat Traffic on Manatees, Vegetation, Shellfish and Wildlife, as well as Shoreline Erosion: Any increase in marine vessel related traffic on the waterway will conform and adhere to local, State and Federal guidelines and regulations. Further, this site is the most advantageous along the San Sebastian River corridor for easy access to the channel as well as to the Intracoastal and out to our offshore natural resources.

11. Impact of development on shoreline by linear feet and percent of site: As previously stated, the updates and renovations of the site, including adding enclosed boat storage, between the US Customs boat building and the boat repair/paint building already onsite, to the back of the professional office building and continuing the decades old, approved and city-designated working waterfront, marine industrial uses on this site in the same general locations, will not significantly change how the shoreline of the site is viewed from the water. The site is extremely large at 1,313,363 sqft. (30.15 acres) in size with over 1,500 linear feet of shoreline and the addition for enclosed boat storage is only approximately 7% of the site. Accordingly, the size of the enclosed boat storage is comparable to the other approved, enclosed boat storage buildings on the shorelines of this San Sebastian River corridor. Further, the location of the building on the center of this parcel with over 1,500 linear feet of frontage on the San Sebastian River, (with the building covering only about 20% of the shoreline frontage), and at the end of Riberia Street abutted by over 45 acres of city-owned land, including the nine (9) acres of the Dr. Robert B. Hayling Freedom Park, named by the city in honor of a leader of the Civil Rights Movement in St. Augustine in the early 1960s, which the city promotes on its website as “a

nearly nine acre park providing the public with a panoramic view of the San Sebastian and Matanzas Rivers that will undoubtedly become a favorite place for reflection, recreation and relaxation for the St. Augustine community,” proves that the impact is minimal and reasonable given the historical uses on the Marine Industrial site and the alternative expansive “Vistas and Scenic Opportunities for the Benefit of the Public as a whole” in the area.

In fact, as pictured in the aerial and streetscape photos and architectural elevations attached, the new building will be designed to improve both the streetscape and the shoreline with an architecturally pleasing building on all sides and will actually enclose a number of the boats that may have been unsightly on the site previously.

12. Impact of Development on Vistas and Scenic Opportunities: As stated, the updates and renovations of the site, including adding enclosed boat storage to the back of the professional office building at the center of the extremely large site (approximately 1,313,363 sqft. (30.15 acres) in size with over 1,500 linear feet of shoreline and 1,000 linear feet of street frontage and the addition for enclosed boat storage only approximately 7% of the site and only about 30% of the frontage of the site), and continuing the decades old, approved and city-designated working waterfront, marine industrial uses on this site in the same general locations, will not significantly change how the site is viewed from the land. In fact, as pictured in the streetscape photos and architectural elevations attached, the new building will be designed to improve the streetscape with an architecturally pleasing building on all sides and will actually enclose a number of the boats that may have been unsightly on the site previously. Further, the location of the building on the center of this parcel with over 1,500 linear feet of frontage on the San Sebastian River, (with the building covering only about 20% of the shoreline frontage), and at the end of Riberia Street abutted by over 45 acres of city-owned land, including the nine (9)

acres of the Dr. Robert B. Hayling Freedom Park, named by the city in honor of a leader of the Civil Rights Movement in St. Augustine in the early 1960s, which the city promotes on its website as “a nearly nine acre park providing the public with a panoramic view of the San Sebastian and Matanzas Rivers that will undoubtedly become a favorite place for reflection, recreation and relaxation for the St. Augustine community,” proves that the impact is minimal and reasonable given the historical uses on the Marine Industrial site and the alternative expansive “Vistas and Scenic Opportunities for the Benefit of the Public as a whole” in the area. Finally, as shown in the streetscape photos, the Eddie Vickers Park & Willie Galimore Recreation Center, across and located at 399 S Riberia Street, with a basketball court, baseball diamond and picnic area, provide plenty of space to enjoy the over 700 feet of open frontage that will be retained outside the areas of the new architecturally pleasing, enclosed boat storage building. The building will adhere to the height and coverage limitations consistent with and allowable by our Comp. Plan within this decades-old, city-designated Marine Industrial area.

13. Existing Amounts of Native Plants and Proposed Retention and Use of Native Plants for Landscape and Open Space Purposes: As the site has been developed for some time, no existing native plant materials exist. However, the applicant will attempt to use native plant and tree species as much as possible within the new landscaping on site.

14. Impact of Development on Plant and Animal Habitat and Potential Loss in Acres and Percent of Site: All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the updates and proposed redevelopment by our environmental scientist team.

15. Impact of Development on Water Quality: Stormwater collection, conveyance and treatment will be provided by approved and permitted systems as part of the improvements and updates in the PUD. Site-specific engineering and construction details, engineering stormwater modeling and drainage calculations for the proposed systems will be provided within the engineering and construction plans to the City of St. Augustine and St. Johns River Water Management District. There will be no adverse, detrimental or negative water quality impacts on site or to adjacent waterways.

16. Impact of Development on Shellfish and On Commercial Sport Fish and Waterfowl: The PUD is located adjacent to Class III waters, which are deemed by the State for recreational use and do not support shellfish harvesting. The location of the project will have no impact on the navigational channel of the Intracoastal Waterway other than the use by boating traffic for access to the working waterfront site. The site abutting the waterway is already developed and there will be no removal of any plant material that would offer or impact habitat for nesting waterfowl.

17. Specific conditions applicable to docks: In addition to complying with the considerations listed in subsections (1) through (16) herein, applicant agrees that no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All outdoor boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on an outdoor boatlift. In

addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended on an outdoor boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck. See attached for the approved dock layouts and the minor updates addressed by our expert environmental scientist team.

SECTION VI - SUMMARY AND CONCLUSIONS

Approval of this Planned Unit Development, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, is justified in that:

1. The project will not adversely affect the orderly development of the City of St. Augustine as embodied by the City Zoning Ordinance and the respective Comprehensive Plan of the City, as the proposal is in conformance with the Plan and its goals and objectives, and the use, as included in the Narrative, is compatible with the surrounding zoning. The project allows control over the size and intensity over development and assurance of compatibility with surrounding residential uses.

2. The project will not adversely affect the orderly development of the City of St. Augustine and will not adversely affect the health, safety and welfare of the residents or visitors to the area, will not be detrimental to the natural environment or the development of adjacent properties or the neighborhood as a result of the conditions and safeguards included in the application.

3. The project will accomplish the objective, standards and criteria set forth within the Zoning Ordinance and provides for strict regulation and maintenance of the project to provide the City with the assurance of an attractive and beneficial asset.

4. When developed in accordance with the conditions stipulated in the PUD application and imposed by this Ordinance, the proposed PUD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

Summary of Justification
Public Purpose and Public Benefit

Further, pursuant to the guidelines of our PUD ordinance, the project is a grand addition to the area, as follows: 1. The project takes into consideration pedestrian oriented design along Riberia Street and adds significantly to the sense of place of the surrounding area by adding sidewalks and coordinating with the city and the Lincolnville CRA on crosswalks, as well as respecting existing development patterns and providing for compatibility, quality and integrity of the existing area and neighborhoods by cleaning up and improving the streetscape drastically and providing a unique sense of place through architectural design and a mixture of compatible uses in a compact setting with sensitivity to the context of the surrounding neighborhood by attempting to work features of the Lincolnville design criteria into their building features and area design. Although this PUD entails the same uses of the site, their distinct and concerted efforts to improve the streetscape and to help contribute to pedestrian travel and safety is a welcome addition to the area and neighborhood which contributes to the area and increases the value of the surrounding area. 2. This renovation/redevelopment clearly demonstrates consideration for the existing neighborhoods and street patterns within the city by removing unnecessary trips from Riberia and in turn providing pedestrian improvements and safety

features in conjunction with the city and the Lincolnville CRA. The improvements also add fully desired, updated and renovated boat repair, storage and water access facilities along our most desired San Sebastian River corridor, which all help to drastically improve the transportation networks or circulation patterns as described in the infrastructure impact analysis, as well as, to promote the goals, objectives and policies of our comprehensive plan in vastly improving access to our natural resources and allowing vastly enhanced enjoyment of our vistas and scenic opportunities. Moreover, this renovation project is abundantly consistent with the character, history, and cultural and natural features that help create a sense of place upon this decades-old marine industrial, working waterfront property. And 3. This redevelopment project not only provides additional upgrades and enclosed boat storage and repair facilities, but it also provides renovations and a reuse of those already in existence hereon as well as cleaning up the outdoor boat storage and docking facilities for both vastly improved visual and practical usage by our citizens and visitors alike.

THEREFORE, This Planned Unit Development request meets all the above listed City requirements, including the Comprehensive Plan requirements, does not conflict with any of the elements of our Comprehensive Plan and is fully consistent with our Comprehensive Plan and our City Code.

Brownfields Property Ownership Form

Property Ownership Affidavit

**Certification of Property Ownership Pursuant
to the Florida Brownfields Redevelopment Act**

Date: MAY 2, 2025

Brownfields Program, Public Works Department
City of St. Augustine, Florida
P.O. Box 210
St. Augustine, FL 32085

To Whom It May Concern:

I, **Doug West, Chief Operating Officer of SAMC Partners, LLC**, an indirect wholly owned subsidiary of Monument Marine Group LLC, hereby certify that I am the Owner of the property described in the attached legal description, **Exhibit A**, in connection with the official request for brownfields designation of said property. I hereby authorize the City of St. Augustine, Florida to designate said property as a Brownfields Area, pursuant to the Florida Brownfields Redevelopment Act.

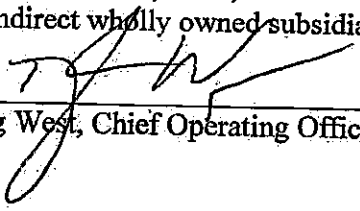
Address: 400 Riberia Street, St. Augustine, FL 32084
Property Real Estate Number (RE #): RE# 2035400010

AND

Address: 404 Riberia Street, St. Augustine, FL 32084
Property Real Estate Number (RE #): RE# 2035400000

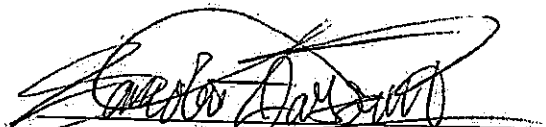
SAMC Partners, LLC,

An indirect wholly owned subsidiary of Monument Marine Group LLC


Doug West, Chief Operating Officer (Owner's Signature)

STATE OF Florida
COUNTY OF St. Lucie

The forgoing affidavit was sworn and subscribed before me this 2nd day of May (month), 2025 (year) by Douglas Mitchell West who is personally known to me or has produced driver license for identification.


(Notary Signature)

Seal

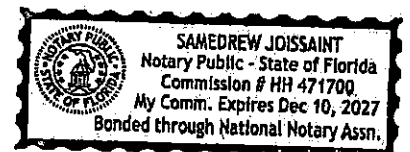


Exhibit "A"

Description of Property

FEE SIMPLE PARCELS

LEGAL DESCRIPTION; PARCEL 1 - NORTH PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 2 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 594.51 FEET; THENCE SOUTH 71 DEGREES 14 MINUTES WEST 20.04 FEET TO NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, SAID NORTHEAST CORNER BEING THE POINT OF BEGINNING;

THENCE SOUTH 22 DEGREES 30 MINUTES 00 SECONDS EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 37.87 FEET; THENCE SOUTH 41 DEGREES 30 MINUTES 11 SECONDS EAST, ON SAID EAST LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223 A DISTANCE OF 153.88 FEET; THENCE NORTH 89 DEGREES 03 MINUTES EAST, ON THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301, OF SAID PUBLIC RECORDS A DISTANCE OF 26.32 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301 AND THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338 OF SAID PUBLIC RECORDS, 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, ON THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 11.87 FEET; THENCE SOUTH 54 DEGREES 52 MINUTES WEST ON THE SOUTH LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 399 FEET MORE OR LESS TO THE MEAN LOW WATER LINE OF THE SAN SEBASTIAN RIVER; THENCE MEANDERING NORTHWESTERLY ALONG SAID MEAN LOW WATER LINE A DISTANCE OF 428 FEET MORE OR LESS TO THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223; THENCE NORTH 24 DEGREES 14 MINUTES EAST, ON SAID NORTHERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 140.84 FEET MORE OR LESS; THENCE NORTH 71 DEGREES 14 MINUTES EAST, ON SAID NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 184.11 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION; PARCEL 2 - SOUTH PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 628.74 FEET; THENCE SOUTH 40 DEGREES 20 MINUTES 57 SECONDS EAST, A DISTANCE OF 166.76 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, A DISTANCE OF 207.30 FEET; THENCE SOUTH 53 DEGREES 73 MINUTES WEST, A DISTANCE OF 11.87 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 22 DEGREES 40 MINUTES EAST, ON THE EAST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 277, PAGE 429 OF SAID PUBLIC RECORDS AND ON THE EAST LINE OF THAT LAND DESCRIBED IN MORTGAGE DEED RECORDED IN OFFICIAL RECORDS BOOK 205, PAGE 734 OF SAID PUBLIC RECORDS, 442 FEET TO THE MOST NORTHERLY CORNER OF THAT LAND CONVEYED BY QUIT CLAIM DEED FROM THE CITY OF ST. AUGUSTINE, FLORIDA, TO ST. AUGUSTINE TRAWLERS, INC.; THENCE ON THE EASTERLY AND SOUTHERLY LINE OF SAID LAND CONVEYED BY THE CITY OF ST. AUGUSTINE TO ST. AUGUSTINE TRAWLERS, INC., THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 36 DEGREES 13 MINUTES EAST, 400 FEET, SOUTH 49 DEGREES 19 MINUTES EAST, 363.51 FEET, SOUTH 1 DEGREE 31 MINUTES EAST, 78.12 FEET, AND SOUTH 53 DEGREES 73 MINUTES WEST, 1,306 FEET MORE OR LESS TO THE LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER; THENCE NORTHERLY ALONG SAID LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER, A DISTANCE OF 2,099+/- MORE OR LESS; THENCE NORTH 54 DEGREES 52 MINUTES 04 SECONDS EAST, A DISTANCE OF 399+/- MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 1 AND PARCEL 2 BEING THE SAME AS THE FOLLOWING PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 2 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 594.51 FEET; THENCE SOUTH 71 DEGREES 14 MINUTES WEST 20.04 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND ON A LINE 20 FEET WEST, AS MEASURED PERPENDICULARLY, FROM SAID WEST LINE OF RIBERIA STREET AND AT THE NORTHEAST CORNER OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 449, PAGE 223, PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 71 DEGREES 14 MINUTES WEST ON THE NORTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 184.11

FEET; THENCE SOUTH 24 DEGREES 14 MINUTES WEST, ON A WESTERLY LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 140.84 FEET TO THE EAST SIDE OF THE SAN SEBASTIAN RIVER AT POINT "A"; THENCE RETURNING BY THE SAME COURSES AND DISTANCES TO THE POINT OF BEGINNING;

THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 37.87 FEET; THENCE SOUTH 41 DEGREES 30 MINUTES 1 SECONDS EAST, ON SAID EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223 A DISTANCE OF 153.88 FEET; THENCE NORTH 89 DEGREES 03 MINUTES EAST, ON THE NORTH LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 363, PAGE 301, PUBLIC RECORDS OF SAID COUNTY, 26.32 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301 AND THE EAST LINE OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338 OF SAID PUBLIC RECORDS, 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, ON THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 11.87 FEET; THENCE SOUTH 22 DEGREES 40 MINUTES EAST, ON THE EAST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 277, PAGE 429 OF SAID PUBLIC RECORDS AND ON THE EAST LINE OF THAT LAND DESCRIBED IN MORTGAGE DEED RECORDED IN OFFICIAL RECORDS BOOK 205, PAGE 734 OF SAID PUBLIC RECORDS, 442 FEET TO THE MOST NORTHERLY CORNER OF THAT LAND CONVEYED BY QUIT CLAIM DEED FROM THE CITY OF ST. AUGUSTINE, FLORIDA, TO ST. AUGUSTINE TRAWLERS, INC.; THENCE ON THE EASTERLY AND SOUTHERLY LINE OF SAID LAND CONVEYED BY THE CITY OF ST. AUGUSTINE TO ST. AUGUSTINE TRAWLERS, INC., THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 36 DEGREES 13 MINUTES EAST, 400 FEET, SOUTH 49 DEGREES 19 MINUTES EAST, 363.51 FEET, SOUTH 1 DEGREE 31 MINUTES EAST, 78.12 FEET, AND SOUTH 53 DEGREES 37 MINUTES WEST, 1,306 FEET MORE OR LESS TO THE LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER; THENCE NORTHERLY ALONG SAID LOW WATER LINE ON THE EAST SIDE OF THE RIVER, 2,528 FEET MORE OR LESS TO THE SAID POINT "A" AT THE NORTHWEST CORNER OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, AND TO CLOSE.

This Instrument Was Prepared By:

Peter L. Desiderio, Esq.
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
200 East Las Olas Boulevard, 21st Floor
Fort Lauderdale, Florida 33301

Record and Return To:

Lauren A. Rico, Esq.
DLA Piper LLP (US)
500 8th Street, N.W.
Washington, D.C. 20004

Property Appraiser

Identification Numbers: 2035400000 and 2035400010

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this 16 day of June, 2023, by WINDWARD MARINA ST. AUGUSTINE NORTH LLC, a Delaware limited liability company, as to Parcel 1 of the Property, and WINDWARD MARINA ST. AUGUSTINE SOUTH LLC, a Delaware limited liability company, as to Parcel 2 of the Property (collectively, the "Grantor"), whose mailing address is 2999 NE 191st Street, Suite 800, Aventura, FL 33180, to SAMC Partners, LLC, a Delaware limited liability company (the "Grantee"), whose mailing address is 80 M Street SE, Suite 470, Washington, D.C. 20003.

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, transfer, remise, release, convey and confirm unto Grantee and Grantee's successors, heirs and assigns, the following real property (the "Property") located in St. Johns County, Florida, and more particularly described in Exhibit "A" attached hereto and made a part hereof.

SUBJECT TO: (i) the permitted exceptions set forth in Exhibit "B" attached hereto and made a part hereof, (ii) real estate taxes for the year 2023 and all subsequent years, (iii) existing applicable governmental building and zoning ordinances and other governmental regulations, (iv) matters that would appear on a current and accurate survey of the Property; and (v) tenants under leases and their successors, assigns and subtenants and other parties in possession (collectively, the "Permitted Exceptions").

TOGETHER with all the tenements, hereditaments and appurtenances belonging or in any way appertaining to the Property.

TO HAVE AND TO HOLD the same in fee simple forever.

AND GRANTOR does hereby specially warrant the title to the Property subject to the Permitted Exceptions and, except for the Permitted Exceptions, will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed on the day and year first above written.

WITNESSES:

Daniela Trudel
 Name: Daniela Trudel
Rita Kuan
 Name: RITA KUAN

Name: _____

Name: _____

GRANTOR:

WINDWARD MARINA ST. AUGUSTINE NORTH LLC,
 a Delaware limited liability company

By: Windward Marina St. Augustine Holdings LLC,
 a Delaware limited liability company,
 its sole Member

By: Robert Finvarb, Manager

By: Stefan Johansson, Manager

Acknowledgment

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

SS:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 6 day of June, 2023, by Robert Finvarb, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE NORTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☒ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:



MARCIA AMADOR
 Notary Public
 State of Florida
 Comm# HH368491
 Expires 3/2/2027

Notary Signature: Marcia Amador
 Notary Print: Marcia Amador
 Notary Public, State of Florida
 Commission No.: HH368491
 My Commission Expires: 3-8-23

Acknowledgment

STATE OF FLORIDA)

COUNTY OF _____)

SS:

This instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of June, 2023, by Stefan Johansson, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE NORTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☐ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:

Notary Signature: _____
 Notary Print: _____
 Notary Public, State of Florida
 Commission No.: _____
 My Commission Expires: _____

WITNESSES:

Name: _____

Name: _____

Name: James D. Ward Jr.Name: Chris SimonGRANTOR:WINDWARD MARINA ST. AUGUSTINE NORTH LLC,
a Delaware limited liability companyBy: Windward Marina St. Augustine Holdings LLC,
a Delaware limited liability company,
its sole MemberBy: _____
Robert Finvarb, ManagerBy: _____
Stefan Johansson, ManagerAcknowledgment

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

SS:

This instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of June, 2023, by Robert Finvarb, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE NORTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☐ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:

Notary Signature: _____
 Notary Print: _____
 Notary Public, State of Florida
 Commission No.: _____
 My Commission Expires: _____

Acknowledgment

STATE OF FLORIDA)

COUNTY OF ST. JOHNS)

SS:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 12th day of June, 2023, by Stefan Johansson, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE NORTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☒ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:

Notary Signature: _____
 Notary Print: _____
 Notary Public, State of Florida
 Commission No.: _____
 My Commission Expires: _____



VICTOR ALEXIS RECONDO
 Commission # HH 024923
 Expires November 19, 2024
 Bonded Thru Budget Notary Services

WITNESSES:

[Signature]
Name: Alf Theroo

[Signature]
Name: Stefan Rivas

Name: _____

Name: _____

GRANTOR:

WINDWARD MARINA ST. AUGUSTINE SOUTH LLC,
a Delaware limited liability company

By: Windward Marina St. Augustine Holdings LLC,
a Delaware limited liability company,
its sole Member

By: [Signature]
Robert Finvarb, Manager

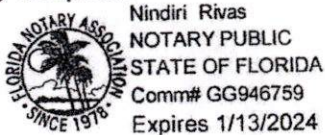
By: _____
Stefan Johansson, Manager

Acknowledgment

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 9th day of June, 2023, by Robert Finvarb, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE SOUTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☒ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:



Notary Signature: [Signature]
Notary Print: NINDIRI RIVAS
Notary Public, State of Florida
Commission No.: GG946759
My Commission Expires: 1/13/2024

Acknowledgment

STATE OF FLORIDA)
) SS:
COUNTY OF _____)

This instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of June, 2023, by Stefan Johansson, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE SOUTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☐ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:

Notary Signature: _____
Notary Print: _____
Notary Public, State of Florida
Commission No.: _____
My Commission Expires: _____

WITNESSES:

Name: _____

Name: _____

Name: Thomas D. Wood JrName: Chris SimonGRANTOR:WINDWARD MARINA ST. AUGUSTINE SOUTH LLC,
a Delaware limited liability companyBy: Windward Marina St. Augustine Holdings LLC,
a Delaware limited liability company,
its sole MemberBy: _____
Robert Finvarb, ManagerBy: _____
Stefan Johansson, ManagerAcknowledgmentSTATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

This instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of June, 2023, by Robert Finvarb, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE SOUTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☐ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:

Notary Signature: _____
 Notary Print: _____
 Notary Public, State of Florida
 Commission No.: _____
 My Commission Expires: _____

AcknowledgmentSTATE OF FLORIDA)
) SS:
COUNTY OF St. Johns)

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 12th day of June, 2023, by Stefan Johansson, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE SOUTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☒ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:

Notary Signature: _____
 Notary Print: _____
 Notary Public, State of Florida
 Commission No.: _____
 My Commission Expires: _____



VICTOR ALEXIS RECONDO
 Commission # HH 024923
 Expires November 19, 2024
 Bonded Thru Budget Notary Services

Exhibit "A"

Description of Property

FEE SIMPLE PARCELS

LEGAL DESCRIPTION; PARCEL 1 - NORTH PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 594.51 FEET; THENCE SOUTH 71 DEGREES 14 MINUTES WEST 20.04 FEET TO NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, SAID NORTHEAST CORNER BEING THE POINT OF BEGINNING;

THENCE SOUTH 22 DEGREES 30 MINUTES 00 SECONDS EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 37.87 FEET; THENCE SOUTH 41 DEGREES 30 MINUTES 11 SECONDS EAST, ON SAID EAST LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223 A DISTANCE OF 153.88 FEET; THENCE NORTH 89 DEGREES 03 MINUTES EAST, ON THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301, OF SAID PUBLIC RECORDS A DISTANCE OF 26.32 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301 AND THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338 OF SAID PUBLIC RECORDS, 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, ON THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 11.87 FEET; THENCE SOUTH 54 DEGREES 52 MINUTES WEST ON THE SOUTH LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 399 FEET MORE OR LESS TO THE MEAN LOW WATER LINE OF THE SAN SEBASTIAN RIVER; THENCE MEANDERING NORTHWESTERLY ALONG SAID MEAN LOW WATER LINE A DISTANCE OF 428 FEET MORE OR LESS TO THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223; THENCE NORTH 24 DEGREES 14 MINUTES EAST, ON SAID NORTHERLY LINE OF THOSE LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 140.84 FEET MORE OR LESS; THENCE NORTH 71 DEGREES 14 MINUTES EAST, ON SAID NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 184.11 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION; PARCEL 2 - SOUTH PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 628.74 FEET; THENCE SOUTH 40 DEGREES 20 MINUTES 57 SECONDS EAST, A DISTANCE OF 166.76 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, A DISTANCE OF 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, A DISTANCE OF 11.87 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 22 DEGREES 40 MINUTES EAST, ON THE EAST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 277, PAGE 429 OF SAID PUBLIC RECORDS AND ON THE EAST LINE OF THAT LAND DESCRIBED IN MORTGAGE DEED RECORDED IN OFFICIAL RECORDS BOOK 205, PAGE 734 OF SAID PUBLIC RECORDS, 442 FEET TO THE MOST NORTHERLY CORNER OF THAT LAND CONVEYED BY QUIT CLAIM DEED FROM THE CITY OF ST. AUGUSTINE, FLORIDA, TO ST. AUGUSTINE TRAWLERS, INC.; THENCE ON THE EASTERLY AND SOUTHERLY LINE OF SAID LAND CONVEYED BY THE CITY OF ST. AUGUSTINE TO ST. AUGUSTINE TRAWLERS, INC., THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 36 DEGREES 13 MINUTES EAST, 400 FEET, SOUTH 49 DEGREES 19 MINUTES EAST, 363.51 FEET, SOUTH 1 DEGREE 31 MINUTES EAST, 78.12 FEET, AND SOUTH 53 DEGREES 37 MINUTES WEST, 1,306 FEET MORE OR LESS TO THE LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER; THENCE NORTHERLY ALONG SAID LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER, A DISTANCE OF 2,099± MORE OR LESS; THENCE NORTH 54 DEGREES 52 MINUTES 04 SECONDS EAST, A DISTANCE OF 399± MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 1 AND PARCEL 2 BEING THE SAME AS THE FOLLOWING PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 594.51 FEET; THENCE SOUTH 71 DEGREES 14 MINUTES WEST 20.04 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND ON A LINE 20 FEET WEST, AS MEASURED PERPENDICULARLY, FROM SAID WEST LINE OF RIBERIA STREET AND AT THE NORTHEAST CORNER OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 449, PAGE 223, PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 71 DEGREES 14 MINUTES WEST ON THE NORTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 184.11

FEET; THENCE SOUTH 24 DEGREES 14 MINUTES WEST, ON A WESTERLY LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 140.84 FEET TO THE EAST SIDE OF THE SAN SEBASTIAN RIVER AT POINT "A"; THENCE RETURNING BY THE SAME COURSES AND DISTANCES TO THE POINT OF BEGINNING;

THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 37.87 FEET; THENCE SOUTH 41 DEGREES 30 MINUTES 11 SECONDS EAST, ON SAID EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223 A DISTANCE OF 153.88 FEET; THENCE NORTH 89 DEGREES 03 MINUTES EAST, ON THE NORTH LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 363, PAGE 301, PUBLIC RECORDS OF SAID COUNTY, 26.32 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301 AND THE EAST LINE OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338 OF SAID PUBLIC RECORDS, 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, ON THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 11.87 FEET; THENCE SOUTH 22 DEGREES 40 MINUTES EAST, ON THE EAST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 277, PAGE 429 OF SAID PUBLIC RECORDS AND ON THE EAST LINE OF THAT LAND DESCRIBED IN MORTGAGE DEED RECORDED IN OFFICIAL RECORDS BOOK 205, PAGE 734 OF SAID PUBLIC RECORDS, 442 FEET TO THE MOST NORTHERLY CORNER OF THAT LAND CONVEYED BY QUIT CLAIM DEED FROM THE CITY OF ST. AUGUSTINE, FLORIDA, TO ST. AUGUSTINE TRAWLERS, INC.; THENCE ON THE EASTERLY AND SOUTHERLY LINE OF SAID LAND CONVEYED BY THE CITY OF ST. AUGUSTINE TO ST. AUGUSTINE TRAWLERS, INC., THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 36 DEGREES 13 MINUTES EAST, 400 FEET, SOUTH 49 DEGREES 19 MINUTES EAST, 363.51 FEET, SOUTH 1 DEGREE 31 MINUTES EAST, 78.12 FEET, AND SOUTH 53 DEGREES 37 MINUTES WEST, 1,306 FEET MORE OR LESS TO THE LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER; THENCE NORTHERLY ALONG SAID LOW WATER LINE ON THE EAST SIDE OF THE RIVER, 2,528 FEET MORE OR LESS TO THE SAID POINT "A" AT THE NORTHWEST CORNER OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, AND TO CLOSE.

Exhibit "B"

Permitted Exceptions

1. Existing applicable governmental building and zoning ordinances and other governmental regulations.
2. Taxes and assessments for the year 2023 and subsequent years, which are not yet due and payable.
3. Title to that portion of the Property lying below the mean/ordinary high water mark of San Sebastian River is not included, and the nature or extent of any submerged land included within the Property is hereby excluded. (As to Fee Simple Parcels 1 and 2)
4. Any and all rights of the United States of America over artificially filled lands in what were formerly navigable waters, arising by reason of the United States of America's control over navigable waters in the interest of navigation and commerce, and any conditions contained in any permit authorizing the filling in of such areas.
5. The nature, extent, or existence of riparian rights, if any, appurtenant to the Property lying below the mean/ordinary high water mark, are excepted, and the riparian rights of others as the same may affect the said Property, are hereby excepted.
6. Variance recorded in Official Records Book 2701, Page 61, Public Records of St. Johns County.
7. Right of Way Easement Perpetual recorded in Deed Book 229, Page 328, Public Records of St. Johns County.
8. Easement recorded in Official Records Book 2983, Page 1532, Public Records of St. Johns County. (As to Parcel 1).
9. Easement recorded in Official Records Book 3456, Page 1353, re-recorded in Official Records Book 3458, Page 1380 and re-recorded in Official Records Book 3460, Page 78, Public Records of St. Johns County. (As to Parcel 2)
10. Grant of Non-Exclusive Easement recorded in Official Records Book 3467, Page 308, Public Records of St. Johns County. (As to Parcel 1)
11. Stipulated Final Judgment and any and all unrecorded Easement(s) as evidenced therein recorded in Official Records Book 2949, Page 289, as re-recorded in Official Records Book 3035, Page 516, Public Records of St. Johns County, as assigned by that Assignment of Judgement recorded February 13, 2018, in Official Records Book 4502, Page 515. (As to Parcel 1)
12. Rights of tenants in possession, as tenants only, with no options to purchase or rights of first refusal, under unrecorded leases.

NOTE: All recording references in this Exhibit "B" shall refer to the Public Records of St. John County, Florida, unless otherwise noted.

2025 FOREIGN LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# M23000005815

Entity Name: SAMC PARTNERS, LLC

Current Principal Place of Business:

222 SEVERN AVENUE
BLD 14-200 SUITE 200
ANNAPOLIS, MD 21403

Current Mailing Address:

222 SEVERN AVENUE
BLD 14-200 SUITE 200
ANNAPOLIS, MD 21403 US

FEI Number: 94-3943162

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

CORPORATION SERVICE COMPANY
1201 HAYS STREET
TALLAHASSEE, FL 32301 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title AUTHORIZED PERSON
Name MORALES, BECKY
Address 222 SEVERN AVENUE
BLD 14-200 SUITE 200
City-State-Zip: ANNAPOLIS MD 21403

Title MEMBER
Name MONUMENT MARINE GROUP LLC
Address 80 M STREET SE, SUITE 470
City-State-Zip: WASHINGTON DC 20003

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: BECKY MORALES

AUTHORIZED PERSON

03/24/2025

Electronic Signature of Signing Authorized Person(s) Detail

Date

July 14, 2025

To Whom It May Concern,

Please accept this letter as confirmation that SAMC LLC has had a great banking relationship with Seacoast Bank since June of 2023. This relationship consists of deposit and loan accounts. The client has additional financial resources to complete the resolution of the brownfield site.

If you have any questions or need additional information, please contact me directly.

Sincerely,



Julie Foley | Commercial Banking Coordinator

7880 Gate Parkway, Suite 100 Jacksonville, FL 32256

Julie.Foley@SeacoastBank.com | C: 904.485.7630 | T: 800.706.9991



July 3, 2025

City of St. Augustine
P.O. Box 210
St. Augustine, Florida 32085

RE: Brownfield Designation – SAMC Partners, LLC
400 Riberia Street and 404 Riberia Street, St. Augustine, FL 32084
Resolution Designating Parcel Nos. 2035400010 and 2035400000

The applicant, who owns the property, has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the site. SAMC Partners, LLC and our parent organization, Monument Marine Group, LLC, have completed multiple large-scale projects for our 8 owned assets in the last 4 years all with varied scale and complexity. Previous redevelopments include a \$35M marine and landside complete redevelopment in Baltimore, Maryland, which received the “Small Marina of The Year award in 2023”, a \$1.2M marine fuel redevelopment in Deltaville, Virginia, a \$1.7M landside and marine renovation in Georgetown, Maryland, and a \$320K master planning and permitting effort for a complete redevelopment in Hague, VA. In addition to these larger scale projects, we have also completed over \$4M of capital improvements, repairs, and maintenance across the 8 owned assets. Based on the credentials and record of success in consummating the development of various commercial properties across the eastern seaboard, SAMC Partners, LLC has the necessary financial resources to implement and complete the site development pursuant to a rehabilitation agreement and redevelopment plan.

Links to our owned/previously owned assets is below:

<https://monumentmarinegroup.com/our-marinas/>

<https://www.nomadmarinasatnorview.com/>

<https://skipjackcovemd.com/>

<https://colespointmarina.com/>

In conclusion, the applicant possesses the financial capacity and proven experience necessary to successfully implement and complete the proposed site redevelopment. With a strong track record of executing complex, large-scale projects across the eastern seaboard—totaling over \$40 million in recent investments—SAMC Partners, LLC, backed by Monument Marine Group,

LLC, demonstrates the capability and commitment required to fulfill the goals of the rehabilitation agreement and redevelopment plan. Please contact me if you require any further documents or need clarification.

Sincerely,

A handwritten signature in blue ink, appearing to be 'DW', written over the word 'Sincerely,'.

Doug West

Chief Operating Officer, SAMC Partners, LLC

Memo

To: April Owen, Assistant City Attorney, City of St. Augustine

From: Mark Mechling, P.E., Mechling Engineering & Consulting, Inc

cc: Kristina Nelson, Finger, Nelson & Maguire, PLLC

Date: May 5, 2025

Re: Environmental Site Summary and Future Plans – 400 and 404 Riberia Street, St. Augustine, FL

This memorandum provides an update regarding the planned redevelopment of the properties located at 400 and 404 Riberia Street in St. Augustine, Florida, collectively referred to as the “Site.”

Historical records indicate that the Site was previously used as an oyster and shrimp packaging facility and may have once been part of the adjacent golf course and landfill. Since the mid-1960s, the Site has operated as a boat manufacturer or marina. Historically, boat manufacturing, maintenance, and salvage activities on the property involved the use of products and equipment containing petroleum or hazardous materials. Current activities at the Site include general boat maintenance and demolition on open ground, as well as outdoor sandblasting. While no unauthorized discharges have been reported, inspection reports from the Florida Department of Environmental Protection (“DEP”) have documented several violations.

We are now moving forward with planned site investigations to determine the extent of contamination present. Following these investigations, we will collaborate closely with the DEP to initiate necessary cleanup activities. Our future plans include enrolling the Site in the State of Florida Brownfield Program, completing a comprehensive soil and groundwater assessment, and undertaking required remedial actions to ensure the safety and health of the surrounding community. Through the Brownfield Program, the DEP will provide guidance and regulatory oversight for assessment reports and future remediation efforts. We are committed to keeping the community informed of our progress on these environmental activities and will regularly communicate updates to a Community Advisory Board, which will be composed of local citizens and stakeholders.

Mechling Engineering & Consulting, Inc.

1714 Belmonte Avenue
Jacksonville, Florida 32207

phone 904.346.5468

June 27, 2025

To Whom It May Concern, City of St. Augustine, Florida

RE: St. Augustine Marine Center
400 and 404 Riberia Street
St. Augustine, Florida

SAMC Partners, LLC, owners of the St. Augustine Marine Center (SAMC) properties at 400 and 404 Riberia Street, St. Augustine (Subject Properties), has engaged Mechling Engineering & Consulting, Inc. to provide site assessment and remediation services associated with redevelopment of the Subject Properties. SAMC Partners proposes to designate the Subject Properties as a Brownfield Area and enter into a Brownfield Site Rehabilitation Agreements (BSRA) with the Florida Department of Environmental Protection. Site assessment and remediation activities will be conducted in accordance with the BSRA and Florida Administrative Code (FAC) Chapter 62-780, *Contaminated Site Cleanup Criteria*. The purpose of this letter is to provide the results of environmental due diligence and site assessment activities for the City of St. Augustine in preparation of a Brownfield Resolution for the Subject Properties.

Environmental Due Diligence

Langan Engineering and Environmental Services, LLC prepared a Phase I Environmental Site Assessment (ESA) for the Subject Properties, dated January 23, 2025. The ESA Report provided the following information:

Subject Property Layout

The subject property is approximately 33.34 acres and is located at the southwest corner of Riberia Street and Cerro Street, bound to the west by the San Sebastian River. The subject property consists of two parcels identified by the St. Johns County Property Appraiser as parcels 2035400000 and 2035400010. The subject property is developed with seven structures ranging in size from approximately 500 to 40,000 square feet, paved and unpaved parking areas, boat maintenance and storage areas, a stormwater retention pond, and landscaped areas.

Subject Property Current Use

The northern parcel (2035400010) operates as the United States Customs and Border Protection (USCBP) National Marine Training Center (NMTC), which includes training facilities and a boat maintenance/storage building. The southern parcel (2035400000) operates as the St. Augustine Marine Center (SAMC), which includes operations for the storage, maintenance, and salvage of boats.

Subject Property History

According to historical records, the subject property was undeveloped or a wetland, except for various oyster or shrimp packaging structures along the San Sebastian River. Additionally, a portion of the east-adjointing golf course may have encompassed approximately 100 feet of the eastern boundary of the subject property from at least 1910 to 1946. By 1965, shrimping operations continued along the San Sebastian River, but the east-adjointing golf course was no longer in operation. Between 1952 and 1971, a portion of the wetland on the southern portion of the subject property was filled. Since 1971, the subject property has undergone various building configurations but has primarily been utilized for boat manufacturing or maintenance. By 2007, the northern parcel was developed with its modern-day structure, which was leased to USCBP NMTC in 2011.

Phase I ESA Conclusions, Findings and Opinions

Recognized Environmental Conditions (RECs)

Historical and Current Use of the Subject Property: The subject property operated as a boat manufacturer or marina since the mid-1960s. General boat maintenance and salvage activities occur on open ground, and sandblasting occurs outdoors. Although no unauthorized discharges have been reported, various violations, including improper product handling and soil staining, have been documented by FDEP in historic inspection reports. The historical use of the subject property for boat maintenance and salvage for up to 60 years is considered a REC because the long-term use of products and equipment containing petroleum or hazardous materials may have impacted soil and groundwater.

Historical Use of the South-Adjoining Property: Historical records and aerial photographs indicate the south-adjoining property was an old disposal site from at least 1971 to 1980, which operated without permits and likely encroached onto the southern portion of the subject property. According to historical records obtained from the FDEP, solid waste including tires, bricks, bottles, wood, metal, glass, concrete, and textiles was observed in test pits advanced across the site, and environmental assessments identified soil and groundwater impacts. Records indicate the old disposal site was closed in accordance with a Riberia Street Waste Disposal Area Closure Plan, dated 1 May 2008, prepared by Geosyntec Consultants, in accordance with the FDEP's Guidance for Disturbance and Use of Old Closed Landfills or Waste Disposal Areas in Florida, dated 3 May 2001. Due to the lack of assessment on the subject property and the proximity of the old disposal site with documented soil and groundwater impacts, the historical use of the south-adjoining property is considered a REC because the presence of solid waste may impact soil and groundwater on the subject property.

Site Assessment Activities

Based on the findings of the Phase I ESA, Mechling Engineering initiated a site assessment in April 2025 in accordance with the requirements of FAC Chapter 62-780, *Contaminated Site Cleanup Criteria*. The site assessment has revealed the following evidence of impacts to the Subject Properties:

- **Soils Impacts:** The following target analytes were identified in soils at concentrations in excess of their leachability or direct exposure commercial/industrial FAC Chapter 62-777, *Contaminant Cleanup Target Levels (CTLs)*: arsenic, chromium, copper, 1,2,4-trimethylbenzene, benzo(a)pyrene, TRPH, and naphthalene.
- **Groundwater Impacts:** The following target analytes were identified at concentrations in excess of their groundwater CTLs: isopropylbenzene (cumene), arsenic, barium, naphthalene, MTBE, 1-methylnaphthalene, 2-methylnaphthalene, phenanthrene, fluorene, TRPH, acenaphthene, benzo(a)anthracene, PFOS, and PFOA.

Remedial Action Approach

Upon completion of the redevelopment design plans, Mechling Engineering will prepare a Remedial Action Plan (RAP) to address soil and groundwater impacts. The remedial strategy will utilize a risk-based corrective action process designed to achieve protection of human health, public safety, and the environment in a cost-effective manner based on the principles set forth in Florida Statutes (FS) Section 376.81(1) and FAC Chapter 62-780. The objective will be to meet the applicable No Further Action criteria of rule FAC 62-780.680, *No Further Action and No Further Action with Controls*.

Signature of Professionals

In accordance with the provisions of Florida Statutes, Chapter 471, our work for this report was prepared under the direct supervision of a Professional Engineer licensed in the State of Florida. This report has been determined to be in accordance with good engineering practices pursuant to Chapter 471 of the Florida Statutes as it applies to the work described herein and to the applicable portions of FAC Chapter 62-780, *Contaminated Site Cleanup Criteria*.

The data, findings, recommendations, specifications, or professional opinions were prepared solely for the use of the SAMC Partners, LLC and the City of St. Augustine, Florida. Mechling Engineering & Consulting, Inc. makes no other warranty, either expressed or implied, and is not responsible for the interpretation by others of these data.

Mechling Engineering & Consulting, Inc.
Florida Engineering Registry No. 27999

Mark Mechling, P.E.

Digitally signed by Mark Mechling, P.E.
DN: cn=Mark Mechling, P.E., c=US, email=mmechling@mechlingeng.com
Reason: This seal has been digitally signed and sealed by Mark Mechling, P.E. on the date adjacent to the seal.
Location: Jacksonville, Florida
Date: 2025.06.27 13:55:04 -04'00'

Mark Mechling, P.E.
Principal
Licensed, Florida Number 41998

June 27, 2025



LOCALIQ

FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Kristina Garcia Nelson
Kristina Garcia Nelson
Finger Nelson And Maguire PLLC

1650 Margaret ST # 302
Jacksonville FL 32204-3869

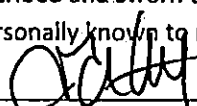
STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a Main Legal CLEGL, was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

07/09/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 07/09/2025



Legal Clerk



Notary, State of WI, County of Brown

8-25-26

My commission expires

Publication Cost: \$241.60

Tax Amount: \$0.00

Payment Cost: \$241.60

Order No: 11471083

of Copies:

Customer No: 1542813

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

MARIAH VERHAGEN
Notary Public
State of Wisconsin

PUBLIC NOTICE

ST. AUGUSTINE PROPOSED BROWNFIELD AREA DESIGNATION Resolution 2025-27

Real property (Parcel ID 2035400010 and 2035400000) located at 400 and 404 Riberia St., St. Augustine, FL 32084 will be rehabilitated under Chapter 376, F.S. of the State of Florida's Brownfields Program. The property is proposed to be designated a Brownfield Area to allow the negotiation of a Brownfield Site Rehabilitation Agreement (BSRA) with the Florida Department of Environmental Protection for purposes of remediating and redeveloping the site.

A Public Meeting to receive public comment on the proposed Brownfield Area designation has been scheduled for:

Monday, July 14th at 6:30 PM, to be held at The Willie Galimore Community Center, 399 Riberia Street, St. Augustine, FL 32084.

If anyone has questions, concerns, and/or comments, please contact: 904-825-1040, option=6.

LD-427Am12

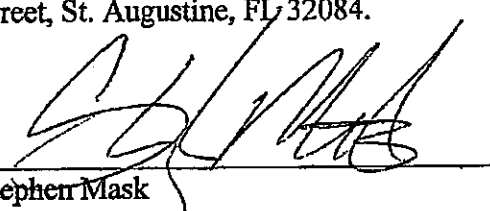
Community Meeting Affidavit

Date: July 16, 2025

Brownfields Program, Public Works Department
City of St. Augustine, Florida
P.O. Box 210
St. Augustine, FL 32085

To Whom It May Concern:

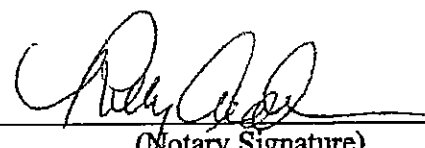
I, **Stephen Mask**, Asset Manager, Monument Marine Group, LLC, hereby certify that we held a community meeting in connection with the official request for brownfield area designation of the St. Augustine Marine Center Site, 400 and 404 Riberia Street, St. Augustine, FL 32084, on Monday, July 14th, 20205 at 6:30 PM at The Willie Galimore Community Center, 399 Riberia Street, St. Augustine, FL 32084.



Stephen Mask
Asset Manager
Monument Marine Group, LLC

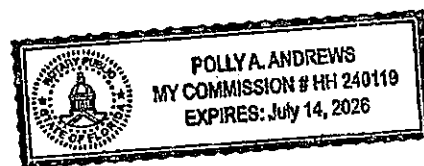
STATE OF Florida
COUNTY OF St. Johns

The forgoing affidavit was sworn and subscribed before me this 16th day of July (month), 2025 (year) by Stephen Mask who is personally known to me ✓ or has produced FL DL for identification.



(Notary Signature)

Seal



Community Meeting for the Brownfield Designation of 400 and 404 Riberia Street
Resolution 2025-27

Prior to the Community Meeting, notice was mailed or emailed to the neighbors surrounding the St. Augustine Marine Center Area as well as posted in the following locations:

St Augustine Marine Center
404 Riberia Street
St. Augustine, FL 32084

The Willie Galimore Community Center
399 Riberia Street, St. Augustine, FL 32084

St. Augustine Municipal Marina
111 Avenida Menendez
St. Augustine, FL 32084

The Alcazar Room on the first floor of City Hall
75 King Street
St. Augustine, FL 32084

Posting of notice pictures:

St Augustine Marine Center
404 Riberia Street
St. Augustine, FL 32084



The Alcazar Room on the first floor of City Hall
75 King Street
St. Augustine, FL 32084



The Willie Galimore Community Center
399 Riberia Street, St. Augustine, FL 32084





Community Meeting
For the Brownfield Designation of
St. Augustine Marine Center

Designation Location:
400 and 404 Riberia Street

Monday, July 14th

6:30 PM

The Willie Galimore Community Center
399 Riberia Street, St. Augustine, FL 32084

Minutes from the Community Meeting
Brownfield Designation of 400 and 404 Riberia Street
Resolution 2025-27

SAMC Attendees:

Kristina Nelson
Stephen Mask
Mark Mechling

Public Attendees: Deltra Long

A Community Meeting for Resolution 2025-27 for the Brownfield Designation of 400 and 404 Riberia Street, St. Augustine, FL 32084 was held on Monday, July 14th, 20205 at 6:30 PM at The Willie Galimore Community Center, 399 Riberia Street, St. Augustine, FL 32084.

The meeting commenced at 6:40 PM with introductions from the St. Augustine Marine Center team. Kristina provided an overview of the Brownfield resolution process and Mark Mechling displayed a large map of the location of the property. The property is approximately 33.34 acres and is located at the southwest corner of Riberia Street and Cerro Street, bound to the west by the San Sebastian River.

It was explained that contamination was discovered at the property during a prospective purchaser's due diligence investigation. Further action is required to complete the cleanup and reach environmental closure of the property. The property owner intends to utilize the Florida Brownfield Program, which offers tax credits to help offset the costs of site investigation and rehabilitation. This program has been highly effective in facilitating the cleanup of properties that might otherwise remain undeveloped.

Once the City designates the property through the resolution, the owner will collaborate with the state Department of Environmental Protection to negotiate a Brownfield Rehabilitation Site Agreement outlining the cleanup process. The resolution is a crucial prerequisite for finalizing this agreement.

The public attendee, Deltra Long – dellong@bellsouth.net, 904.823.7896, requested a copy of the Resolution once it is available. The meeting concluded at 7:00 PM.

SIGN IN SHEET FOR PUBLIC HEARING FOR RESOLUTION 2025-27
MONDAY, JULY 14TH, 6:30 PM
The Willie Gallimore Community Center
399 Riberia Street, St. Augustine, FL 32084

Brownfield Designation of Property located at
400 Riberia Street, St. Augustine, FL 32084, Property Real Estate Number: 2035400010 and
404 Riberia Street, St. Augustine, FL 32084, Property Real Estate Number: 2035400000

Name	Company	Contact information (Email, phone and address)
Deltra Long	Self	dellongabellsouth.net (904) 823-7896

The 2024 Florida Statutes (including 2025 Special Session C)

Title XXVIII

NATURAL RESOURCES; CONSERVATION,
RECLAMATION, AND USE

Chapter 376

POLLUTANT DISCHARGE PREVENTION
AND REMOVAL

[View Entire
Chapter](#)

376.80 Brownfield program administration process.—

(1) The following general procedures apply to brownfield designations:

(a) The local government with jurisdiction over a proposed brownfield area shall designate such area pursuant to this section.

(b) For a brownfield area designation proposed by:

1. The jurisdictional local government, the designation criteria under paragraph (2)(a) apply, except if the local government proposes to designate as a brownfield area a specified redevelopment area as provided in paragraph (2)(b).

2. Any person, other than a governmental entity, including, but not limited to, individuals, corporations, partnerships, limited liability companies, community-based organizations, or not-for-profit corporations, the designation criteria under paragraph (2)(c) apply.

(c) Except as otherwise provided, the following provisions apply to all proposed brownfield area designations:

1. Notification to department following adoption.—A local government with jurisdiction over the brownfield area must notify the department, and, if applicable, the local pollution control program under s. [403.182](#), of its decision to designate a brownfield area for rehabilitation for the purposes of ss. [376.77-376.86](#). The notification must include a resolution adopted by the local government body. The local government shall notify the department, and, if applicable, the local pollution control program under s. [403.182](#), of the designation within 30 days after adoption of the resolution.

2. Resolution adoption.—The brownfield area designation must be carried out by a resolution adopted by the jurisdictional local government, which includes a map adequate to clearly delineate exactly which parcels are to be included in the brownfield area or alternatively a less-detailed map accompanied by a detailed legal description of the brownfield area. For municipalities, the governing body shall adopt the resolution in accordance with the procedures outlined in s. [166.041](#), except that the procedures for the public hearings on the proposed resolution must be in the form established in s. [166.041\(3\)\(c\)2](#). For counties, the governing body shall adopt the resolution in accordance with the procedures outlined in s. [125.66](#), except that the procedures for the public hearings on the proposed resolution must be in the form established in s. [125.66\(5\)\(b\)](#).

3. Right to be removed from proposed brownfield area.—If a property owner within the area proposed for designation by the local government requests in writing to have his or her property removed from the proposed designation, the local government must grant the request.

4. Notice and public hearing requirements for designation of a proposed brownfield area outside a redevelopment area or by a nongovernmental entity. Compliance with the following provisions is required before designation of a proposed brownfield area under paragraph (2)(a) or paragraph (2)(c):

a. At least one of the required public hearings must be conducted as closely as is reasonably practicable to the area to be designated to provide an opportunity for public input on the size of the area, the objectives for rehabilitation, job opportunities and economic developments anticipated, neighborhood residents' considerations, and other relevant local concerns.

b. Notice of a public hearing must be made in a newspaper of general circulation in the area, must be made in ethnic newspapers or local community bulletins, must be posted in the affected area, and must be announced at a scheduled meeting of the local governing body before the actual public hearing.

(2)(a) *Local government-proposed brownfield area designation outside specified redevelopment areas.*—If a local government proposes to designate a brownfield area that is outside a community redevelopment area, enterprise zone, empowerment zone, closed military base, or designated brownfield pilot project area, the local government shall provide notice, adopt the resolution, and conduct public hearings pursuant to paragraph (1)(c). At a public hearing to designate the proposed brownfield area, the local government must consider:

1. Whether the brownfield area warrants economic development and has a reasonable potential for such activities;
2. Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage;
3. Whether the area has potential to interest the private sector in participating in rehabilitation; and
4. Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural, or historical preservation purposes.

(b) *Local government-proposed brownfield area designation within specified redevelopment areas.*—Paragraph (a) does not apply to a proposed brownfield area if the local government proposes to designate the brownfield area inside a community redevelopment area, enterprise zone, empowerment zone, closed military base, or designated brownfield pilot project area and the local government complies with paragraph (1)(c).

(c) *Brownfield area designation proposed by persons other than a governmental entity.*—For designation of a brownfield area that is proposed by a person other than the local government, the local government with jurisdiction over the proposed brownfield area shall provide notice and adopt a resolution to designate the brownfield area pursuant to paragraph (1)(c) if, at the public hearing to adopt the resolution, the person establishes all of the following:

1. A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.
2. The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement does not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004 or the creation of recreational areas, conservation areas, or parks.
3. The redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permissible use under the applicable local land development regulations.
4. Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to paragraph (1)(c), and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subparagraph must be posted in the affected area.
5. The person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site.

(d) *Negotiation of brownfield site rehabilitation agreement.*—The designation of a brownfield area and the identification of a person responsible for brownfield site rehabilitation simply entitles the identified person to negotiate a brownfield site rehabilitation agreement with the department or approved local pollution control program.

(3) When there is a person responsible for brownfield site rehabilitation, the local government must notify the department of the identity of that person. If the agency or person who will be responsible for the coordination

changes during the approval process specified in subsections (4), (5), and (6), the department or the affected approved local pollution control program must notify the affected local government when the change occurs.

(4) Local governments or persons responsible for rehabilitation and redevelopment of brownfield areas must establish an advisory committee or use an existing advisory committee that has formally expressed its intent to address redevelopment of the specific brownfield area for the purpose of improving public participation and receiving public comments on rehabilitation and redevelopment of the brownfield area, future land use, local employment opportunities, community safety, and environmental justice. Such advisory committee should include residents within or adjacent to the brownfield area, businesses operating within the brownfield area, and others deemed appropriate. The person responsible for brownfield site rehabilitation must notify the advisory committee of the intent to rehabilitate and redevelop the site before executing the brownfield site rehabilitation agreement, and provide the committee with a copy of the draft plan for site rehabilitation which addresses elements required by subsection (5). This includes disclosing potential reuse of the property as well as site rehabilitation activities, if any, to be performed. The advisory committee shall review any proposed redevelopment agreements prepared pursuant to paragraph (5)(i) and provide comments, if appropriate, to the board of the local government with jurisdiction over the brownfield area. The advisory committee must receive a copy of the executed brownfield site rehabilitation agreement. When the person responsible for brownfield site rehabilitation submits a site assessment report or the technical document containing the proposed course of action following site assessment to the department or the local pollution control program for review, the person responsible for brownfield site rehabilitation must hold a meeting or attend a regularly scheduled meeting to inform the advisory committee of the findings and recommendations in the site assessment report or the technical document containing the proposed course of action following site assessment.

(5) The person responsible for brownfield site rehabilitation must enter into a brownfield site rehabilitation agreement with the department or an approved local pollution control program if actual contamination exists at the brownfield site. The brownfield site rehabilitation agreement must include:

(a) A brownfield site rehabilitation schedule, including milestones for completion of site rehabilitation tasks and submittal of technical reports and rehabilitation plans as agreed upon by the parties to the agreement.

(b) A commitment to conduct site rehabilitation activities under the observation of professional engineers or geologists who are registered in accordance with the requirements of chapter 471 or chapter 492, respectively. Submittals provided by the person responsible for brownfield site rehabilitation must be signed and sealed by a professional engineer registered under chapter 471, or a professional geologist registered under chapter 492, certifying that the submittal and associated work comply with the law and rules of the department and those governing the profession. In addition, upon completion of the approved remedial action, the department shall require a professional engineer registered under chapter 471 or a professional geologist registered under chapter 492 to certify that the corrective action was, to the best of his or her knowledge, completed in substantial conformance with the plans and specifications approved by the department.

(c) A commitment to conduct site rehabilitation in accordance with department quality assurance rules.

(d) A commitment to conduct site rehabilitation consistent with state, federal, and local laws and consistent with the brownfield site contamination cleanup criteria in s. 376.81, including any applicable requirements for risk-based corrective action.

(e) Timeframes for the department's review of technical reports and plans submitted in accordance with the agreement. The department shall make every effort to adhere to established agency goals for reasonable timeframes for review of such documents.

(f) A commitment to secure site access for the department or approved local pollution control program to all brownfield sites within the eligible brownfield area for activities associated with site rehabilitation.

(g) Other provisions that the person responsible for brownfield site rehabilitation and the department agree upon, that are consistent with ss. 376.77-376.86, and that will improve or enhance the brownfield site rehabilitation process.

(h) A commitment to consider appropriate pollution prevention measures and to implement those that the person responsible for brownfield site rehabilitation determines are reasonable and cost-effective, taking into

account the ultimate use or uses of the brownfield site. Such measures may include improved inventory or production controls and procedures for preventing loss, spills, and leaks of hazardous waste and materials, and include goals for the reduction of releases of toxic materials.

(i) Certification that the person responsible for brownfield site rehabilitation has consulted with the local government with jurisdiction over the brownfield area about the proposed redevelopment of the brownfield site, that the local government is in agreement with or approves the proposed redevelopment, and that the proposed redevelopment complies with applicable laws and requirements for such redevelopment. Certification shall be accomplished by referencing or providing a legally recorded or officially approved land use or site plan, a development order or approval, a building permit, or a similar official document issued by the local government that reflects the local government's approval of proposed redevelopment of the brownfield site; providing a copy of the local government resolution designating the brownfield area that contains the proposed redevelopment of the brownfield site; or providing a letter from the local government that describes the proposed redevelopment of the brownfield site and expresses the local government's agreement with or approval of the proposed redevelopment.

(6) Any contractor performing site rehabilitation program tasks must demonstrate to the department that the contractor:

- (a) Meets all certification and license requirements imposed by law; and
- (b) Will conduct sample collection and analyses pursuant to department rules.

(7) During the cleanup process, if the department or local program fails to complete review of a technical document within the timeframe specified in the brownfield site rehabilitation agreement, the person responsible for brownfield site rehabilitation may proceed to the next site rehabilitation task. However, the person responsible for brownfield site rehabilitation does so at its own risk and may be required by the department or local program to complete additional work on a previous task. Exceptions to this subsection include requests for "no further action," "monitoring only proposals," and feasibility studies, which must be approved prior to implementation.

(8) If the person responsible for brownfield site rehabilitation fails to comply with the brownfield site rehabilitation agreement, the department shall allow 90 days for the person responsible for brownfield site rehabilitation to return to compliance with the provision at issue or to negotiate a modification to the brownfield site rehabilitation agreement with the department for good cause shown. If an imminent hazard exists, the 90-day grace period shall not apply. If the project is not returned to compliance with the brownfield site rehabilitation agreement and a modification cannot be negotiated, the immunity provisions of s. 376.82 are revoked.

(9) The department is specifically authorized and encouraged to enter into delegation agreements with local pollution control programs approved under s. 403.182 to administer the brownfield program within their jurisdictions, thereby maximizing the integration of this process with the other local development processes needed to facilitate redevelopment of a brownfield area. When determining whether a delegation pursuant to this subsection of all or part of the brownfield program to a local pollution control program is appropriate, the department shall consider the following. The local pollution control program must:

- (a) Have and maintain the administrative organization, staff, and financial and other resources to effectively and efficiently implement and enforce the statutory requirements of the delegated brownfield program; and
- (b) Provide for the enforcement of the requirements of the delegated brownfield program, and for notice and a right to challenge governmental action, by appropriate administrative and judicial process, which shall be specified in the delegation.

The local pollution control program shall not be delegated authority to take action on or to make decisions regarding any brownfield site on land owned by the local government. Any delegation agreement entered into pursuant to this subsection shall contain such terms and conditions necessary to ensure the effective and efficient administration and enforcement of the statutory requirements of the brownfield program as established by the act and the relevant rules and other criteria of the department.

(10) Local governments are encouraged to use the full range of economic and tax incentives available to facilitate and promote the rehabilitation of brownfield areas, to help eliminate the public health and

environmental hazards, and to promote the creation of jobs and economic development in these previously run-down, blighted, and underutilized areas.

(11)(a) The Legislature finds and declares that:

1. Brownfield site rehabilitation and redevelopment can improve the overall health of a community and the quality of life for communities, including for individuals living in such communities.
2. The community health benefits of brownfield site rehabilitation and redevelopment should be better measured in order to achieve the legislative intent as expressed in s. 376.78.
3. There is a need in this state to define and better measure the community health benefits of brownfield site rehabilitation and redevelopment.
4. Funding sources should be established to support efforts by the state and local governments, in collaboration with local health departments, community health providers, and nonprofit organizations, to evaluate the community health benefits of brownfield site rehabilitation and redevelopment.

(b) Local governments may and are encouraged to evaluate the community health benefits and effects of brownfield site rehabilitation and redevelopment in connection with brownfield areas located within their jurisdictions. Factors that may be evaluated and monitored before and after brownfield site rehabilitation and redevelopment include, but are not limited to:

1. Health status, disease distribution, and quality of life measures regarding populations living in or around brownfield sites that have been rehabilitated and redeveloped.
2. Access to primary and other health care or health services for persons living in or around brownfield sites that have been rehabilitated and redeveloped.
3. Any new or increased access to open, green, park, or other recreational spaces that provide recreational opportunities for individuals living in or around brownfield sites that have been rehabilitated and redeveloped.
4. Other factors described in rules adopted by the Department of Environmental Protection or the Department of Health, as applicable.

(c) The Department of Health may and is encouraged to assist local governments, in collaboration with local health departments, community health providers, and nonprofit organizations, in evaluating the community health benefits of brownfield site rehabilitation and redevelopment.

(12) A local government that designates a brownfield area pursuant to this section is not required to use the term “brownfield area” within the name of the brownfield area designated by the local government.

History.—s. 4, ch. 97-277; s. 3, ch. 98-75; s. 11, ch. 2000-317; s. 2, ch. 2004-40; s. 44, ch. 2005-2; s. 7, ch. 2006-291; s. 5, ch. 2008-239; s. 2, ch. 2014-114; s. 11, ch. 2023-309.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: July 31, 2025

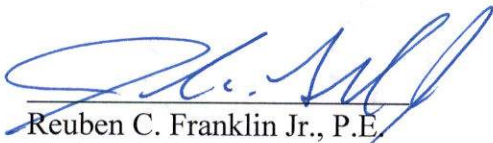
RE: Ordinances – First Reading
Ordinance 2025-22 Amending Sections 24-31 and 24-46 to increase illegal parking fines and include franchise stops, transportation network company stops and controlled parking residential areas as unlawful to stop, stand or park in

On the July 11, 2025, City Commission meeting staff was directed to move forward with implementing plans associated with Nights of Lights to alleviate traffic congestion and protect neighborhoods. Part of the plan is to increase illegal parking fines from thirty-five dollars (\$35.00) to one hundred dollars (\$100.00) within a boundary near the historic districts.

The proposed boundary for the one hundred dollar (\$100.00) illegal parking fine is defined by Old Mission Avenue, the Matanzas River, South Street and the San Sebastian River. The boundary includes South Street and Old Mission Avenue rights-of-way. The increased fine will be applied to sections 24-39 (no parking zones), 24-45 (certain extended parking prohibited) and 24-46 (parking in bus stops, franchise stops, transportation network company stops, controlled parking residential areas, and taxicab stands).

The proposed ordinance also amends section 24-46 (parking in bus stops and taxicab stands) to include franchise stops, transportation network company (Uber/Lyft) stops and controlled parking residential areas.

A business impact estimate form has been completed and is attached for review. Please let me know if you have any questions.



Reuben C. Franklin Jr., P.E.
Assistant City Manager

cc: Attachments: Boundary Map for Illegal Parking Zone
Ordinance 2025-22
Business Impact Estimate Form



Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of section 166.041(4), Florida Statutes. If one or more boxes are checked below under "Applicable Exemptions", this indicates that the City has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by section 166.041(4), Florida Statute will be provided in the "Business Impact Estimate" section below.

Proposed Ordinance Title/Reference:

Ordinance No.

ORDINANCE NO. 2023-22

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA AMENDING SECTION 24-31 OF THE CODE OF THE CITY OF ST. AUGUSTINE INCREASING THE FINE FOR PARKING TICKET CITATIONS FROM THIRTY-FIVE TO ONE HUNDRED DOLLARS FOR VIOLATIONS OF SECTIONS 24-39, 24-43, 24-46 AND 24-47 WITHIN THE BOUNDARY DEFINED BY OLD MISSION AVENUE, MATANZAS RIVER, SOUTH STREET AND SAN SEBASTIAN RIVER; AMENDING SECTION 24-46 TO INCLUDE FRANCHISE STOPS, TRANSPORTATION NETWORK COMPANY STOPS AND CONTROLLED PARKING RESIDENTIAL AREAS; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Applicable Exemptions:

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - ☐ Development orders and development permits, as those terms are defined in s. 163.3164, and, development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243, Florida Statutes;
 - ☐ Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality;
 - ☐ Sections 190.005 and 190.046, relating to statutory Community Development Districts;
 - ☐ Section 553.73, relating to the Florida Building Code; or
 - ☐ Section 633.202, relating to the Florida Fire Prevention Code.

Note: The City's provision of information in the Business Impact Estimate section below, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions above shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Section 166.041(4), Florida Statute, Sec. 166.0411, Fla. Stat., or any other relevant provision of law.

Business Impact Estimate:

- 1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

The City's historic districts experience a high level of tourism and associated traffic. Illegal parking in the historic districts and surrounding neighborhoods has become problematic and to address the issue there is a need to increase the illegal parking fine in this area. No parking zones are designated to provide room for emergency vehicle access and to maintain obstructions of intersections for safety. This supports and is needed for public health, safety and welfare.

- 2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of St. Augustine, if any:**

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There are no direct compliance costs to businesses. There are no new charges or fees imposed by the ordinance for businesses. The costs of the ordinance fall under the City's normal operating budget for street signage. Generally, no negative impacts to businesses are anticipated.

- 3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:**

None.

- 4. Additional information the governing body determines may be useful (if any):**

ORDINANCE NO. 2025-22

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA AMENDING SECTION 24-31 OF THE CODE OF THE CITY OF ST. AUGUSTINE INCREASING THE FINE FOR PARKING TICKET CITATIONS FROM THIRTY-FIVE TO ONE HUNDRED DOLLARS FOR VIOLATIONS OF SECTIONS 24-39, 24-45, 24-46 AND 24-47 WITHIN THE BOUNDARY DEFINED BY OLD MISSION AVENUE, MATANZAS RIVER, SOUTH STREET AND SAN SEBASTIAN RIVER; AMENDING SECTION 24-46 TO INCLUDE FRANCHISE STOPS, TRANSPORTATION NETWORK COMPANY STOPS AND CONTROLLED PARKING RESIDENTIAL AREAS; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 166.041, Florida Statutes, provides procedures for adoption of ordinances and resolutions by municipalities; and

WHEREAS, Section 3.02 of the Charter Laws of the City of St. Augustine grants to the City Commission the authority to enact an ordinance to regulate and control any traffic of any nature whatsoever and to prohibit the use of motor vehicles over and on its streets, roads, parks and boulevards; and

WHEREAS, the City will promote its historic urban character, preserve its unique residential neighborhoods, and support adjacent, compact commercial areas by preserving a sense of place; and

WHEREAS, a planning goal related to preserving a sense of place for the City is to reduce automobile trips in and through the downtown by promoting the City's mobility plan and alternative forms of transportation that work to protect the environment, reduce congestion, provide residents with a higher quality of life, and, neighborhoods with greater livability, and promote local businesses; and

WHEREAS, the City places a high importance on its ability to preserve and enhance the authentic features of St. Augustine's heritage and scale of the built environment in the distinctive neighborhoods, districts, structures, buildings, and vistas to strengthen St. Augustine's ability to convey the heritage of the city's diversity and development patterns; and

WHEREAS, it has been found that non-residential traffic through residential neighborhoods causes traffic congestion, air pollution, excessive noise and contributes to the creation of a traffic condition that is hazardous to the health, safety and welfare of persons residing in the residential area, all factors which contribute to the deterioration of residential neighborhoods within the City; and

WHEREAS, the reduction of vehicle traffic in urban areas has been shown to improve air quality, decrease noise pollution, and contribute to overall environmental sustainability; and

WHEREAS, the City shall provide a safe, convenient, connected, visible, and efficient multimodal transportation system; and

WHEREAS, the City recognizes that certain roadway corridors will be congested, and that congestion will be addressed by means other than solely considering adding capacity for single occupant automobiles.

NOW, THEREFORE, BE IT ORDAINED by the City Commission for the City of St. Augustine, Florida, as follows:

Section 1. Amending Chapter 24, Article II, Section 24-31. Chapter 24, Article II, Section 24-31 of the Code of the City of St. Augustine is hereby amended, as follows:

“Sec. 24-31. - Penalties.

(...)

(c) All parking ticket citations issued for violations of sections 24-39, 24-41, 24-45, 24-46 or 24-47 shall require the payment of a fine of thirty-five dollars (\$35.00), as may be amended in the future pursuant to section (h) below, within one (1) to fifteen (15) days from the date of issuance of the parking ticket citation.

(1) All parking ticket citations issued for violations of sections 24-39, 24-45, 24-46 or 24-47 within the boundary defined as Old Mission Avenue, Matanzas River, South Street and San Sebastian River including the street rights-of-way defining the boundary shall require the payment of a fine of one-hundred dollars (\$100.00).

(...)”

Section 2. Amending Chapter 24, Article II, Section 24-46. Chapter 24, Article II, Section 24-46 of the Code of the City of St. Augustine is hereby amended, as follows:

“Sec. 24-46. – Parking in bus stops, franchise stops, ~~transportation network company stops, and taxicab stands and controlled parking residential areas.~~

It shall be unlawful for any person to stop, stand or park a vehicle in any officially designated and appropriately marked bus stop, franchise stop, or, transportation network company stop, taxicab stand and controlled parking residential area other than a bus in a bus stop, a franchise vehicle in a franchise stop, a transportation network company in a transportation network company stop, and a taxicab/vehicle for hire or a transportation network company vehicle, as defined in section 27-23, if the transportation network company vehicle has purchased and properly displayed a city-issued medallion, in a taxicab stand and a permitted resident or guest in a controlled parking residential area.”

Section 3. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that the sections of this ordinance may be renumbered or relettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 4. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 6. Effective Date. This ordinance shall become effective ten (10) days after passage, pursuant to Section 166.041(5), Florida Statutes. Enforcement of the

provisions of this ordinance will commence once appropriate signage and striping is provided.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2025.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)



Designated Zone for increased illegal parking fine (\$100) for sections 24-39, 24-45, 24-46 and 24-47

The zone's boundary is defined by Old Mission Avenue, the Matanzas River, South Street and the San Sebastian River

July 28, 2025



CITY OF
ST. AUGUSTINE
EST. 1565

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: August 11, 2025

RE: Creating an Environmental Impact Award

At the request of Vice Mayor Barbara Blonder, Resolution 2025-06 has been modified to establish policies and procedures for the creation of an Environmental Impact Award. The updated resolution will be Resolution 2025-29.

The inspiration for this award is to be able to recognize individuals and organizations for significant contributions to the positive impacts of conserving, maintaining, and enhancing the environmental wellness/well-being and natural resources of our community, including ecosystem services and environmental advocacy.

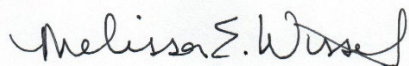
The nominee must be a resident of the City of St. Augustine or St. Johns County for a minimum of five years, or they must have contributed directly to a project, or multiple projects, in the City of St. Augustine or St. Johns for a minimum of five years. Their work must demonstrate positive environmental impact through measurable or tangible means.

The award will be limited to one nomination per year and may be presented for significant past work.

The material award will be a distinctive, traditional framed photograph or commissioned painting of an animal, natural habitat, or natural resource, representative of the local, native environment. Examples of suggested photographs by award-winning photographer Bobby VanMierop are attached to this memo for review and selection by the City Commission.

I request this item be placed on the agenda for the August 11, 2025, City Commission meeting as a staff presentation.

Respectfully,

A handwritten signature in black ink that reads "Melissa S. Wissel". The signature is fluid and cursive, with the first name "Melissa" being more prominent.

Melissa Wissel, Communications Director



Figure 1: Image 0009w



Figure 2: 00064w



Figure 3: Image 00067f



Figure 4: Image 00067i



Figure 5: Image 00077v

RESOLUTION 2025-~~06~~29

A RESOLUTION OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA MODIFYING AND UPDATING RESOLUTION ~~2022-11~~2025-06; ~~CONSOLIDATING AND ESTABLISHING POLICIES AND PROCEDURES FOR THE CREATION OF NOMINATION, SELECTION AND PRESENTATION OF CERTAIN THE ENVIRONMENTAL IMPACT AWARD AWARDS~~ BY THE CITY COMMISSION.

WHEREAS, the St. Augustine City Commission, from time to time, recognizes individuals and institutions for their service to the community with the presentation of awards, and

WHEAREAS, the Commission currently presents four awards: Order of la Florida, de Aviles Award, Adelaide Sanchez Award, and Citizenship Award; and

WHEREAS, the original four awards were created over a period of many years by separate acts of the Commission, and

WHEREAS, the desire to create a new award recognizing individuals and organizations for significant contributions to the positive impacts of conserving, maintaining, and enhancing the environmental wellness/well-being and natural resources of our community, including ecosystem services and environmental advocacy; and

WHEREAS, each award carries distinct criteria for its recipients and the presentation of each award is unique, and

WHEREAS, each award has a slightly different process for nomination and selection of recipients that would benefit by having a simplified and scheduled process; and

WHEREAS, bringing the criteria and process of the Commission's four awards together by resolution will serve to increase an understanding of the significance of each award and each and every recipient;

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, THAT THE FOLLOWING BE ADOPTED, CONFIRMED, AND RATIFIED:

Section 1. Nominations for Order of la Florida, de Aviles Award, Adelaide Sanchez Award, Environmental Impact, and Citizenship Award shall be as follows:

A Nominations for Order of La Florida, de Aviles Award, ~~and~~ Adelaide Sanchez, and Environmental Impact, Award will be:

1. Made by a member of the City Commission, filed with the City Manager in writing and include nominee's name, address, age and biographical background showing qualifications;

2. Placed by the City Manager on the next City Commission meeting agenda,
3. Determined by majority vote approval of the City Commission.

Award recipients will be notified by the City Manager concerning the award and the presentation will be scheduled for a future regular City Commission meeting.

In the event the City Manager receives more than one nomination; the same procedure shall be followed for each one. The City Manager shall note the order in which the nominations were received.

B. Nominations for Citizenship Awards will be:

1. Chosen based on the Character Counts program of participating St. Johns County schools, if applicable, or a high-school-graduating aged student who has demonstrated interest and volunteerism in programs, events, or nonprofit organizations in the City of St. Augustine.
2. Each school or nominating entity will notify the City of St. Augustine Communications Department the name of one student, their address, and include a letter of endorsement.
3. Nominations will be submitted by a calendar date deadline, to be established and announced annually by the City of St. Augustine.
4. The City Manager shall place the nominations on the Consent Agenda in a Memorandum for approval by the City Commission prior to the scheduled award presentation.
5. Awards are determined by majority vote approval of the City Commission.

Award recipients will be notified by the Communications Department concerning the award and the presentation will be scheduled for a future regular City Commission meeting.

Section 2. Order of la Florida, de Aviles Award, Adelaide Sanchez Award, and Citizenship Award each have specific criteria for recipients and award presentations as follows:

A. Order of La Florida

1. Recipient: Person(s) who have, over a long period of time, unselfishly devoted their time and talent to the welfare and betterment of our citizens and heritage and who have exemplified the finest qualities of citizenship and have contributed extraordinary services to the community.
2. Couples nominated will be treated as one recipient.
3. Qualifications: Must be at least 55 years of age. Membership limited to 10 living persons at any one time.
4. Award: Distinctive, traditional framed certificate presented by the Commission in a ceremony at one of its regular meetings.

B. de Aviles Award

1. Recipient: Those identified in the field of public service (elected, appointed, or employed) or those (resident or non-resident) well- known and respected by the citizenry who have dedicated and honorable service to the community of St. Augustine and St. Johns County. The award may be presented posthumously.
2. Qualifications: The number of awards is limited to one per year.
3. Award: Distinctive, traditional framed certificate presented by the Commission in a ceremony at one of its regular meetings.

C. Adelaide — Sanchez — Award — for — Historic — Preservation, — Restoration, Education, and Interpretation

1. Recipient: Persons who are recognized by the City Commission for significant achievement in the restoration, preservation, education and interpretation of historic resources in the City of St. Augustine.
2. Qualifications: Two awards are presented annually, one recognizing achievement in restoration and/or preservation of historic resources, and the other for education and interpretation of historic resources.
3. Award: Limited edition statuette of a lion from the Bridge of Lions, with customized, engraved name plate presented by the Commission in a ceremony at one of its regular meetings.

D. Environmental Impact

1. Recipient: Person(s) or organization who have made significant contributions to the positive impacts of preserving, maintaining, and enhancing the environmental wellness/well-being and natural resources of our community, including ecosystem services, environmental advocacy, and/or reducing negative environmental effects and/or impacts.
2. Qualifications: Must be a resident of the City of St. Augustine or St. Johns County for a minimum of five years; or have contributed directly to a project, or multiple projects, in the City of St. Augustine or St. Johns for a minimum of five years; and demonstrated positive environmental impact through measurable or tangible means.

This award is limited to one nomination per year and may be presented for past significant work.

3. Award: Distinctive, traditional framed photograph or commissioned painting of an animal, natural habitat, or natural resource, representative of the local, native environment

D.E. Citizenship Awards

1. Recipient: A graduating high school senior already being recognized through the Character Counts program, if applicable, or a high-school-graduating aged student who has demonstrated interest and

volunteerism in programs, events, or non-profit organizations in the City of St. Augustine.

2. Qualifications: They must be a resident of the City of St. Augustine or have been active in supporting its history, culture, or people.
3. Award: A city lapel pin, and \$500 scholarship award will be presented by the Commission in a ceremony at one of its regular meetings prior to high school graduation.

Section 3. The nomination, selection and presentation of the Order of la Florida, de Aviles Award, Adelaide Sanchez Award, Environmental Impact, and Citizenship Award are presented on the following schedule, as appropriate:

A. de Aviles Award

1. Nominations: November
2. Selection: December
3. Presentation: February, second meeting, near February 15, the birth anniversary of Pedro Menendez de Aviles.

B. Citizenship Awards

1. Nominations: Will be submitted to the City by the participating school, a nominating entity, or an individual by a calendar date deadline, to be established and announced annually by the City of St. Augustine
2. Selection: Nominations will be reviewed, approved, and submitted for the Consent Agenda prior to being scheduled for presentation.
3. Presentation: Awards will be scheduled for presentation at a City Commission meeting in April to coincide with end-of-year awards.

C. Adelaide Sanchez Award

1. Nominations: February
2. Selections: March
3. Presentation: May, first meeting to coincide with Historic Preservation Month.

D. Order of la Florida

1. Nominations: June, if a vacancy exists.
2. Selection: July
3. Presentation: September, first meeting, near September 8, the anniversary of the city's founding.

E. Environmental Impact Award

1. Nomination: January

2. Selection: February

3. Presentation: April, first meeting, to coincide with Earth Month and to allow for presentation of Citizenship Awards

Section 4. The City Commission may vary the schedule for the nomination, selection, or presentation of any award as determined by a majority of the City Commission.

Section 5. Rules and procedures for the Order of la Florida, de Aviles Award, Adelaide Sanchez Award, and Citizenship Award previously adopted as resolutions by the City Commission are superseded by this resolution, including 1975-14, 1977-02, 2000-25, 2013-03, 2013-40, 2017-08, and 2022-11.

Section 6. This resolution shall become effective immediately upon adoption by the City Commission

ADOPTED in Regular Session of the City Commission for the City of St. Augustine,

Florida this _____ day of _____, 2025.

CITY OF ST. AUGUSTINE, FLORIDA

Nancy Sikes-Kline, Mayor – Commissioner

ATTEST:

Darlene Galambos, City Clerk

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners
City Manager

DATE: July 30, 2025

RE: The Ancient Olive Request for use of the City Seal

This request is on behalf of The Ancient Olive for the use of the City Seal on kitchen towels. The City was recently made aware that these items were being sold without formal permission of the City Commission. According to the attached letter, the owners were not aware that permission was required. In order for them to sell the remaining 38 kitchen towels already produced, they proposed to provide an additional donation of \$300 to the Salvation Army of St. Augustine on top of their monthly donation once the towels have been sold. Attached is the letter from Jeffrey Schrader and Bryan Behling, owners of The Ancient Olive, and a visual depiction of the kitchen towels.

Per City Code Section 2.1, permission to use the City Seal may only be granted by the City Commission. Should you concur, please place this matter on the agenda for the August 11, 2025, meeting.



Darlene Galambos
City Clerk

Jeffrey Schrader

The Ancient Olive of St. Augustine
47 King St, St Augustine, FL 32084
WinterPark@TheAncientOlive.com
813-767-7344

July 29, 2025

Assistant City Attorney

April R. Owen
Office of the City Attorney

Dear April,

I hope this letter finds you well. I am writing on behalf of The Ancient Olive of St Augustine, a small, locally owned business here in St. Augustine. We are reaching out to respectfully request a variance or special permission to use the city's official logo on a limited-run product we had made prior to receiving your letter (dated May 27, 2025) stating we made unauthorized use of the City's seal and trademark logo when we had it printed on kitchen towels for us to sell in our store. We were very much unaware that it was unlawful to utilize the Seal and logo, and we extend our apologies as we never intended to break the law.

As soon as we received your letter, we pulled the towels from the sales floor, and we now have 38 of these towels that we aren't able to sell. But we think we have an idea that will help us recoup the cost of the towels while supporting a local food bank.

Our goal is to use the product not only to showcase civic pride but also to support our local community. Specifically, we would like to donate a portion of the proceeds from the sale to the foodbank that is run by The Salvation Army of St. Augustine, which continues to provide essential services to those in need across our city. As a small business, we are seeking only to recoup the production and marketing costs associated with the product, and we are committed to transparency in all aspects of the initiative. We support The Salvation Army of St. Augustine with a monthly cash donation, and if the City agrees to our proposal, we will donate an additional \$300 in the month that the final towel is sold.

We understand that the city's logo is a protected mark, and we want to ensure that we are fully in compliance with any applicable ordinances or trademark rules. We are open to discussing any conditions the city may wish to place on this use, including accounting for proceeds, or other stipulations that ensure responsible and respectful handling of the city's identity. And we will, of course, never produce the towels again with the City's logo or trademark.

Thank you for considering this request. We believe this project represents a valuable opportunity to blend community pride, local business support, and charitable impact. Please let us know if there are forms or additional steps we should take to move forward.

Warm regards,

Jeffrey Schrader and Bryan Behling

Jeffrey Schrader & Bryan Behling, Proprietors

The Ancient Olive Gourmet



Winter Park | St Augustine | Winter Garden | The Villages



Est. 1565

City of St. Augustine

Nation's Oldest City

City Attorney

May 27, 2025

Ancient Monkey, Inc.
D/B/A The Ancient Olive of St. Augustine
ATTN: Bryan Behling and Jeffrey Schrader
47 King Street
St. Augustine, Florida 32084

Ancient Monkey, Inc.
D/B/A The Ancient Olive of St. Augustine
ATTN: Bryan Behling and Jeffrey Schrader
702 Thompson Avenue
Maitland, Florida 32751

RE: UNAUTHORIZED USE OF CITY SEAL AND TRADEMARK LOGO

Dear Messrs. Behling and Schrader:

Our office has been informed that your organization has been using the City Seal and trademark logo as graphics on display at your Ancient Olive of St. Augustine store. A photograph of the display is enclosed for reference.

Please be advised that use of the City Seal of the City of St. Augustine, a reproduction of which is copied on the item in your store, is prohibited by Section 2-1 of the Code of Ordinances of the City. Any such use requires the written authorization of the City Commission. In addition, the unauthorized use of the City Seal is a criminal offense punishable as a second-degree misdemeanor, pursuant to s. 165.043, F.S. Lastly, unauthorized use of the City's logo is a violation of its trademark.

While we appreciate that you may have been unaware that it is unlawful to utilize the Seal and logo, as such use violates our Code, we ask that you remove the Seal and logo from any items displayed and available in your store and refrain from using it in the future without proper authorization.

Your cooperation is anticipated and appreciated. Please advise our office of any questions you may have. Thank you.

Sincerely,

April R. Owen
Assistant City Attorney

Enclosure

xc: David Birchim, City Manager
Darlene Galambos, City Clerk

PO Box 210 - St. Augustine, Florida 32085 - Office 904/825-1052 - FAX 904/825-1096



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners
DATE: August 1, 2025
RE: Reminder: Open Positions on Boards and Committees

Below is a list of Boards and Committees indicating current vacancies or upcoming term expirations. Your assistance in identifying and encouraging qualified candidates to apply is greatly appreciated.

- **Planning and Zoning Board**
[Three (3) Terms Expiring 9/30/25]

Advertisements requesting applications for the above-referenced vacancies were published in the St. Augustine Record and posted on the City's website.

Sincerely,



Darlene Galambos
City Clerk

xc: Clerk's Office

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, June 23, 2025

The City Commission met in formal session Monday, June 23, 2025, at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Barbara Blonder, Vice Mayor/City Commissioner
Cynthia Garris, City Commissioner
Jim Springfield, City Commissioner
Jon DePreter, City Commissioner

Also Present: David Birchim, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Stephen Slaughter, Director, Public Works & Utilities
Amy Skinner, Director, Planning and Building
Melissa Wissel, Director, Communications
Jaime D. Perkins, Neighborhood Services & CRA Manager
Jill Collins, Administrative Coordinator, Neighborhood Services & CRA
Barry Fox, Code Enforcement and Vacation Rental Manager
Jennifer Michaux, Police Chief
Elyse Wiemann, Recording Secretary

MOMENT OF SILENCE and PLEDGE OF ALLEGIANCE

Mayor Nancy Sikes-Kline requested a moment of silence and Vice-Mayor Barbara Blonder led the pledge of allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

David Birchim, City Manager, stated there had been a request to hear Resolution 2025-24 during a subsequent meeting.

Mayor Sikes-Kline confirmed.

MOTION

Mayor Sikes-Kline MOVED to APPROVE the regular agenda with the modification. The motion was SECONDED by Commissioner Jim Springfield and APPROVED BY UNANIMOUS VOICE VOTE.

3. Special Presentations, Recognitions and Proclamations

3.A. Certificate of Recognition 2025-05CR: to William "Bill" Lennon in celebration of his Inspiration, Vision, and Leadership in the creation of Nights of Lights. (N. Sikes-Kline, Mayor)

3.B. Certificate of Recognition 2025-06CR: to Len Weeks in celebration of his Inspiration, Vision, and Leadership

in the creation of Nights of Lights. (N. Sikes-Kline, Mayor)

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Ally Burchfield
- BJ Kalaidi

5. Consent Agenda

David Birchim, City Manager, read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JULY 14, 2025:

- Ordinance 2025-11: Amends an existing Planned Unit Development (PUD) at 1500 Arapaho Avenue

CA.3. Reminder of Upcoming Meetings:

- July 14, 2025, 3:00PM–Special City Commission Meeting (Budget Assumptions)
- July 14, 2025, 5:00PM–Regular City Commission Meeting
- July 28, 2025, 3:00PM–Community Redevelopment Agency Meeting
- July 28, 2025, 5:00PM–Regular City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

- May 12, 2025-Special City Commission Meeting

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S): NONE.

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

- Proclamation 2025-19: Recognizes the 250th Anniversary of American Independence in 2026. (N. Sikes-Kline, Mayor)

CA.7. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED:

- Certificate of Recognition for the Redeemed Christian Church of God Pavilion of Power in celebration of 15 years of service to the Greater St. Augustine Community. (C. Garriss, Commissioner)

CA.8. Eminent Domain: Lake Maria Sanchez–Invoice for professional services. (I. Lopez, City Attorney)

End Consent Agenda

5.A. Additions, deletions or modifications to Consent Agenda

(None)

5.B. Approval of Consent Agenda

MOTION

Mayor Sikes-Kline MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Cynthia Garriss and APPROVED BY UNANIMOUS VOICE VOTE.

6. Appeals

(None)

7. General Public Presentations, Items of Great Public Importance, and Other Items Requiring Public Hearings

7.A. General Public Presentations

(None)

7.B. Items of Great Public Importance

(None)

7.C. Other Items Requiring Public Hearing

(None)

8. Ordinances and Resolutions – Public Hearing Required.

8.A. Ordinances – Second Reading

8.A.1. Ordinance 2025-07: Adoption of the City of St. Augustine West City Community Redevelopment Area (WCCRA) plan. (J. Perkins, Neighborhood Services & CRA Manager

Jaime D. Perkins Neighborhood Services and CRA Manager, presented Ordinance 2025-07.

Public hearing was opened, and Commissioners heard comments from the following members of the public:

- Kenneth McCalin
- BJ Kalaidi

Commissioner Garris questioned if there was anything in the plan regarding the police and code enforcement.

Ms. Perkins replied that there was language in the plan that noted community policing could be added at the discretion of the Community Redevelopment Agency (CRA). She pointed out that Code Enforcement was a City wide effort and the policies were established by Code.

Commissioner Garris asked if Chief Michaux or Assistant Chief Cuthbert could confirm if there were designated police officers for each part of the City.

Anthony Cuthbert, City of St. Augustine, Assistant Police Chief, advised that the City was broken up into patrol zones and officers would be assigned to those zones.

Commissioner DePreter said he was very supportive of the plan.

Commissioner Blonder felt the plan had been vetted thoroughly and staff had done a tremendous job at listening to the West City Steering Committee, and she was in favor of the plan. She said she was happy to be a part of the Commission during this momentous time.

Commissioner Springfield felt the police notation in the plan was to hold the CRA accountable. He commended staff and the community for doing a great job with the plan and pointed out the plan had been completed swiftly due to the leadership of Ms. Perkins.

Mayor Sikes- Kline thought history was being made and she thanked Ms. Perkins for being so welcoming of everyone's input either positive or negative. She urged the community to stay involved as that was how the plan would improve, adapt, and be executed. She said a CRA was about addressing blight, and she felt this plan, along with the community, would do that.

MOTION

Commissioner Garris MOVED to pass Ordinance 2025-07 on second reading. The motion was SECONDED by Commissioner Blonder.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2025-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, PERTAINING TO THE CITY OF ST. AUGUSTINE COMMUNITY REDEVELOPMENT AGENCY, ADOPTING THE WEST CITY COMMUNITY REDEVELOPMENT PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Garris, Blonder, DePreter, Springfield, Sikes-Kline

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

8.A.2. Ordinance 2025-08: Amendment to Noise Control Regulations. (I. Lopez, City Attorney)

Anthony Cuthbert, City of St. Augustine Assistant Police Chief, presented Ordinance 2025-08.

Public hearing was opened, and Commissioners heard comments from the following members of the public:

- Scott Mayner
- Mark Alexander
- Scott York

Commissioner Garris thanked the City of St. Augustine Police Department, Chief Jennifer Michaux, and Assistant Chief Cuthbert for moving the noise ordinance forward and complete.

Commissioner Springfield concurred that the noise ordinance had been in progress over the past two years as it was a delicate ordinance which needed to be crafted carefully. He said with the help of the City Attorney, the consultant, and the business communities support it was able to be developed. He felt this could be modified as needed and should be as time elapsed.

Commissioner Blonder emphasized that quality of life was very important to her, her fellow commissioner, and the business community. She said she thought the residents had been heard and it was time this was supported as there was a lot of time devoted to it. She thanked Chief Cuthbert for spearheading the effort.

Commissioner DePreter said the ordinance was based on facts, studies, findings, multiple meetings, and was well vetted. He felt this was an exciting moment for the

residents and thanked them for working on it.

Mayor Sikes-Kline said the ordinance was not overly restrictive and provided for working residents who lived downtown. She said she was happy this came to fruition and thanked everyone who worked on the ordinance.

MOTION

Commissioner Springfield MOVED to pass Ordinance 2025-08 on second reading. The motion was SECONDED by Commissioner Blonder.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2025-08

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 11, ARTICLE IV OF THE CODE OF THE CITY OF ST. AUGUSTINE PROVIDING FOR REGULATIONS REGARDING NOISE CONTROL; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Springfield, Blonder, DePreter, Garris, Sikes-Kline

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

8.B. Ordinances – First Reading (only if required by law)

(None)

8.C. Resolutions – Public Hearing (only if required by law)

(None)

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

9.A.1. Ordinance 2025-10: Amends and Adopts the City's Required Water Supply Plan. (A. Skinner, Planning and Building Director)

Amy Skinner, Director, Planning and Building, reviewed Ordinance 2025-10.

Commissioner Blonder highlighted sections related to water conservation and emphasized that it could help save money for those in the City with how much water was used when landscaping. She said the Street Tree Committee was trying to reinvigorate an incentive program. She said we should encourage each other to be more careful when we irrigate.

MOTION

Commissioner Blonder MOVED to pass Ordinance 2025-10 on first reading and moved to second reading. The motion was SECONDED by Commissioner Springfield.

Isabelle Lopez, City Attorney, read the Ordinance.

ORDINANCE NO. 2025-10

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE CITY OF ST. AUGUSTINE COMPREHENSIVE PLAN TO INCORPORATE CHANGES REQUIRED BY THE 2023 NORTH FLORIDA REGIONAL WATER SUPPLY PLAN; AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE INFRASTRUCTURE ELEMENT; INCLUDING AMENDING GOALS, OBJECTIVES AND POLICIES AND UPDATING APPENDIX A OF THE INFRASTRUCTURE ELEMENT THE CITY OF ST. AUGUSTINE WATER SUPPLY FACILITIES WORK PLAN; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR

REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Blonder, Springfield, DePreter, Garris, Sikes-Kline

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.A.2. Ordinance 2025-11: Amends an existing Planned Unit Development (PUD) at 1500 Arapaho Avenue. (A. Skinner, Planning and Building Director)

Amy Skinner, Director, Planning and Building, reviewed Ordinance 2025-11.

The Commission provided their ex parte communication.

Commissioner DePreter said he recalled the Cedar trees were a separate request from the PUD and were a Conservation Overlay Development. He asked if there was any documentation regarding that. He said there was an attempt to relocate the Oak trees, which failed; however, he was in support of moving this to the next hearing regarding the Oak tree issue. He said there were Cedar trees that appeared to be dead, which he thought were part of the PUD requirement but was under the impression they were mitigated in the new proposed plan.

Ms. Skinner showed a graphic, which identified different sections of the Shipyard project with the intersection notated. She pointed out five Oak trees that were part of the relocation plan, which was approved to be relocated to the town center area; however, that failed and that was why the PUD was being amended. She said the developer had presented a mitigation plan, which exceeded the credits required to move forward with their portion of the project. She said the five Oak trees would be planted in a companion application in

the town center area. She said prior to the southern portion of the property being annexed into the City there were cedar trees moved on to the property boundary and it was questionable the success of the move and they could be dying. She said those were in the county at the time and if the trees died, action would be taken to ensure viability of the trees before the phase of development was finalized.

Commissioner DePreter asked when the permits were received for that, would they be required to have those trees.

Ms. Skinner replied in the affirmative and said it was part of the conservation zone approval to develop this section of property.

Commissioner Springfield asked if the developer made an effort to obtain any large trees in effort to replace the large trees that were destroyed. He said he was unsure how large a tree could be bought and moved.

Ms. Skinner said the specific language in the revised PUD noted nineteen (19) new Southern Live Oak trees in the common areas at a minimum of eight caliper inches at planting.

Commissioner Springfield said the Live Oak trees available for purchase now were hybrid trees. He said his other concern was the intersection. He asked if this development was included in the development agreement to help with the intersection on US1.

Ms. Skinner replied that the proposed PUD single-family section was not included in the development agreement.

Commissioner Springfield asked if there was a penalty from Florida Department of Transportation (FDOT) if the intersection was not built and if the City had any recourse if new developers, who bought parcels, did not participate.

Ms. Lopez explained that in the development agreement it bound all sessors and assigns, meaning anyone who owned land in the original geography, would be responsible for the improvement and the City was participating by adding an additional \$500,000.

Commissioner Springfield questioned what the recourse would be if the landowners responsible for helping with the intersection decided not to participate. He asked who required the intersection FDOT or the City .

Ms. Lopez said that would be an injunctive relief through the court. She said the City was requiring the intersection to be completed as part of the development agreement.

Mayor Sikes-Kline said she understood the reason for the concern about the intersection and who was responsible for it. She said it was approved years prior, and the intersection still had not been improved. She did not think it was unreasonable to have clarification about the agreement.

Commissioner Blonder felt the trees and the intersection were two related issues and she wanted to have clarity on both. She said people in the County cared a lot about trees, which had influenced County elections and things that had happened within the State. She pointed out in the narrative, the amended proposal noted the tress had fallen during a storm; however, that was incorrect as the trees had a diameter at breast height (dbh) of fifty inches. She said there was an attempt to relocate the trees, which failed and that language in the PUD had to be corrected. She pointed out that the original Oak trees were clustered and provided a different ecological arrangement versus disbursed trees that were aesthetically pleasing for a subdivision. She pointed out the Cedar trees were between nine to twenty-one inches dbh, and the Oak trees averaged between forty-one to fifty inches dbh, and if replacement was approved, the

nineteen trees with an eight-inch dbh there would be a significant difference. She said the development agreement needed to be reviewed adequately in how it related to the PUD.

Commissioner Garris agreed with Commissioner Blonder regarding the trees and thought more research needed to be done before the PUD was passed. She said the trees were disappearing rapidly and green space was needed. She said in relation to the intersection, the City needed to understand exactly what was in the development agreement to ensure it would be developed accurately.

Commissioner DePreter asked if the five Oak trees that were no longer viable were being replaced with four large trees costing roughly \$40,000 each or were those replaced with nineteen eight-inch trees.

Ms. Skinner replied that the nineteen eight-inch trees were specific to the mitigation plan for this PUD. She said there was a discussion regarding planting five larger trees in the town center area that was in the companion application, and those trees were larger; however, that was a separate issue and a different application.

Ms. Lopez advised those requirements were in the Conservation Overlay Zone Development permit approval and not a part of this PUD. She said the larger trees were on a separate parcel, which was approved by the Planning and Zoning Board (PZB) at its last meeting.

Commissioner DePreter clarified the intent was to move the five large trees off this site and move them to the town square area. He said his understanding was to have the larger trees that were originally added to the land plus the nineteen trees.

Ms. Skinner said that was correct.

Mayor Sikes-Kline explained that the trees that were supposed to be moved in the cluster which were on the south end of the parcel were supposed to be moved to the

town center, would now be replaced with new trees of a comparable size, in addition to that, there would be nineteen trees at eight inches in caliber.

Ms. Skinner noted that those nineteen trees would be in the common area of the PUD.

Commissioner Blonder said it was clear this was difficult to understand and felt it should be clarified by the applicant.

Ms. Skinner reviewed the plan recommended by PZB that showed the trees, which were indicated to be Live Oaks.

Commissioner Blonder said she was concerned with the applicants' attempts to relocate trees and keep them viable, as the applicant had tried with both species and failed. She asked what recourse the City had, who would monitor it, who would cover the expenses of the monitoring, and who would pay for the continuous replacement of trees.

Commissioner DePreter requested an arborist report on the Cedar trees to understand the condition of them. He said the condition of the Oak trees had been confirmed.

James Whitehouse, the attorney for the applicant, reviewed the application. He clarified the modification to this PUD was to add language regarding the additional trees that would be added to the property along with the replacement of the Oak trees. He said the current owners bought the property about a year ago and those trees died prior to being purchased by them. He said this property was not included in the development agreement as it was addressed with mobility fees that would be paid when building permits were pulled.

Justin Scarbrough, applicant, advised that the modification called for nineteen eight-inch Oak trees around the common area.

He said one Live Oak trees would be added per lot, which would add more trees than required for a total of seventy-four trees along with other species of plants. He said they had an arborist that was trying to save as many trees as possible and the ones that were unable to be saved would be mitigated. He said the intent was to make this right with the City. He said after the purchase of the property, the Oak trees that were supposed to be moved were evaluated by their arborist and were unable to be moved. He stated that City staff was notified, and they were instructed that a PUD modification would be necessary. He said they were in support of having larger trees as they understand the value and ecological value large trees provide.

Mayor Sikes-Kline noted the language in the text about the credit regarding mobility fees and asked for clarification.

Mr. Whitehouse replied that the credit for the mobility fees was in the agreement for the other properties not this one. He said it was in the development agreement and specifically noted on page five.

Mayor Sikes-Kline explained she understood that the Commission was who decided how the mobility fees were used.

Mr. Whitehouse clarified the development agreement was not associated with this PUD. He said he was only noting they would have to pay mobility fees, and every PUD required traffic impacts, and part of that was they would have to pay for their traffic impact of fifty-five homes.

Commissioner DePreter asked if the applicant owned the townhome section of the Windward PUD.

Mr. Whitehouse replied in the affirmative.

Commissioner DePreter pointed out that the applicant had bought into the development agreement.

Mr. Whitehouse replied that it was a different owner but the same business entity.

Commissioner DePreter confirmed that the ingress and egress for the single-family home project was Arapahoe Avenue and the Iroquois Avenue intersection, except for emergency vehicles.

Mr. Whitehouse confirmed.

Commissioner Springfield confirmed if by buying the PUD, they also purchased the responsibility of moving the five dead trees.

Mr. Whitehouse replied in the affirmative. He explained the proposed PUD amendment was being made since the five trees were unable to be moved and they were putting back the five large Live Oak trees plus an additional nineteen smaller Live Oaks trees.

Mayor Sikes-Kline said the development agreement was very important as the City wanted the intersection completed and questioned their participation in the agreement.

Mr. Whitehouse said this was the same owner in the development agreement who owned the other property and was willing to move forward with the agreement. He said there was an existing agreement and adding the PUD property into the agreement would not be appropriate as they had to pay mobility fees.

Commissioner DePreter requested a status update on the development agreement.

Reuben Franklin, Assistant City Manager, provided a status update on the intersection at Arapahoe Avenue, and Iroquois Avenue, which was represented in the development agreement. He said the City, the Developers' representative, Mr. Masters the Senior project manager for Windward, and FDOT would know how to move the project forward. He said to date an Intersection Control Evaluation (ICE) and FDOT had approved that; however,

permit applications to the City nor FDOT have been submitted which could be a nine-month process. He said once permitted; a bond would be required by FDOT to ensure construction. He said it was estimated to be a one or two million dollar project.

Mayor Sikes-Kline said the City would contribute \$500,000 and there would be approximately \$400,000 in mobility fees collected for the project.

Mr. Franklin said the contribution was correct; however, he did not have the exact amount that would be collected in mobility fees.

Commissioner DePreter asked about the latest study on the intersection when the PUD was approved originally and noted the fifty-five homes would not change the character of the intersection in terms of capacity. He asked when the bonding money was collected for the project.

Mr. Franklin replied that he did not have that information. He said the developer had to obtain two permits; one from FDOT and one from the City, and once that was done, a bond was set. He said the permits from the City would be more extensive as this would be the entrance feature to the development.

Mayor Sikes-Kline expressed her disappointment in the outcome of the trees. She said she did not feel Commissioner Blonder was comfortable with not being able to replace the clustering of trees which created an ecosystem. She said it was not an even trade compared to what the City was receiving back and thought the developers should come back with additional mitigation measures for trees and she was completely dissatisfied with the response with the development agreement.

Commissioner DePreter explained he was fine with the trees as the relocation attempt was unsuccessful, and they were willing to

plant more trees. He said he had two concerns; the burden of the development agreement would be placed on whoever owned the property and secondly the public safety issue as the traffic increased. He asked for clarification on how the agreement would work. He had requested an arborist report on the Cedar trees. He had several questions about the agreement as he had worked on the mobility plan and thought the plan was to help build alternative ways of travelling and did not want to use mobility fees for that. He asked for further explanation of section D. Transportation System, ii, in the development agreement, which stated, "full payment of this cost shall be a binding requirement of development for all development orders or permits for the Property".

Ms. Lopez explained that anyone who owned dirt within the development agreement, which excluded the applicant, it meant the "owner" was required to do the improvement to the intersection and if not, any development improvements or permits would be on hold. She said it was a binding requirement for that dirt.

Commissioner DePreter said the confusion was that the traffic from this parcel would be using this intersection and they were not legally bound by the development agreement. He said he felt it would be in the applicant's best interest to find a safe and easy way for their residents to enter and exit.

Commissioner Springfield said, in reference to the trees, they would not have what they previously had; however, they were getting nineteen trees, in addition to the five along with the replacement of the Cedar trees.

Mayor SikesKline asked if he wanted the five trees that were dying to still be moved.

Commissioner Springfield replied that he thought the trees would be replaced by the

owner of the property where they were supposed to be planted.

Ms. Lopez advised the new trees would be large from a nursery.

Commissioner Blonder asked what the options were for amending the development agreement with consideration in particular with this PUD as it would add more traffic to the area.

Ms. Lopez said the development agreement had its own path of adoption and amendment; however, it was a contractual agreement. She said this particular PUD had to provide the traffic impact at the time it was approved, which was reviewed by planning staff and engineers, who determined that a separate share agreement or development agreement was not needed. She said that information could be provided at the next meeting. She said if the applicant was willing, the commission could ask them to prepay the mobility fees that were required.

Commissioner Blonder asked if the applicant could be added to the development agreement.

Ms. Lopez replied that it could only happen if the applicant agreed.

Commissioner Blonder requested that the development agreement be brought back for review.

Ms. Lopez advised that the development agreement was supposed to be reviewed by the commission once a year. She said the agreement was completed in May 2021.

Commissioner Garris felt it was imperative that the commission review the agreement since not all sitting commissioners were on the commission when it approved. She said this would help everyone understand the terms of the agreement. She thought what happened to the trees was

unfortunate but felt everyone should move forward.

Mr. Birchim agreed. He summarized the Commissions concerns, which were as follows:

- Wanted assurance that the property owners within the development agreement geography were committed to paying their proportionate fair share of the intersection improvements
- City obligated itself for \$500,000
- Concerned if developer sold pieces of the real estate that new owners would not have the same level of commitment to pay for the improvements

There was a consensus that those were the concerns of the Commissioners.

MOTION

Commissioner Springfield MOVED to pass Ordinance 2025-11 on first reading read and approved by title only.

Commissioner Blonder felt it would be advisable for the applicant to make changes based on the feedback provided.

MOTION

Commissioner Springfield AMENDED the motion to include that the developer bring back information on the number of trees they were willing to add and expressing the Commissions concern about the intersection and what they could propose as an option in how they could participate other than mobility fees and provide an arborist report. The motion was SECONDED by Commissioner DePreter.

Isabelle Lopez, City Attorney, read the Ordinance.

ORDINANCE NO. 2025-11

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE

ZONING FOR APPROXIMATELY 15.71 ACRES OF PROPERTY LOCATED AT 1500 ARAPAHO AVENUE (PID# 134780-0000), AS MORE PARTICULARLY DESCRIBED HEREINAFTER, TO AMEND ITS CURRENT PLANNED UNIT DEVELOPMENT (PUD) CLASSIFICATION ADOPTING A NEW PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner DePreter said there was a list of mobility projects and thought the list should be provided with projects identified. He said that would help when moving forward with discussions.

VOTE ON MOTION:

AYES: Springfield, DePreter, Garris, Blonder, Sikes-Kline

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

Mr. Birchim announced that on the consent agenda this ordinance was noticed to be heard on second reading at the July 14, 2025, meeting. He said given the conditions placed upon the PUD, that deadline may not be the correct date.¹

9.B. Resolutions

9.B.1. Resolution 2025-20: Approves an FDOT Landscaping Maintenance Agreement for State Highways. (S. Slaughter, Utilities & Public Works Director)

Stephen Slaughter, Utilities and Public Works Director, reviewed the Resolution.

MOTION

Mayor Sikes-Kline MOVED to pass Resolution 2025-20. The motion was SECONDED by Commissioner DePreter.

VOTE ON MOTION:

AYES: Sikes-Kline, DePreter, Garris, Springfield, Blonder

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.B.2. Resolution 2025-24: Supports the state definition of antisemitism. (A. Owen, Assistant City Attorney)

Resolution 2025-24 was moved to July 14, 2025, City Commission meeting see MOTION under item 2.A.

10. Staff Reports and Presentations

10.A. Status Update of the City's Drop-In Day Center and establishing Dining with Dignity at 90-92 South Dixie Highway. (B. Fox, Code Enforcement and Vacation Rental Manager)

Barry Fox, Code Enforcement and Vacation Rental Manager, provided a brief update about the City's Drop-In Day Center.

At the request of Mr. Fox, Commissioner Springfield explained that Kiwana's Club, he was a member of, wanted to donate a health monitoring kiosk, which was provided by Mayo Clinic. He said it was a simple self-serve kiosk similar to those at grocery stores. He said they had to speak more with City staff to make sure it was possible.

Mayor Sikes-Kline asked when Dining with Dignity would be moved to the site.

Mr. Fox replied that it should be around mid-August. He said he hoped that to take place for two weeks and then phase in other services two weeks later and so on, in order to work out any possible setbacks.

Mayor Sikes-Kline commended him for the work and thought the building looked beautiful. She said the dignity factor was definitely brought into the building.

¹ Break from 7:24p.m.-7:35p.m.

Commissioner Springfield said Mr. Fox gave a wonderful presentation to the Continuum of Care, which was the different organizations that aid the homeless, and some of the organizations would be participating years from now at the site. He said a concern mentioned by Mr. Fox was mailboxes, which were a goal. He said it was needed in the community, but it may not be able to happen.

Mr. Fox said he thought it could happen; however, there were some issues that had to be worked through before proceeding.

Commissioner Garris commented that she did not feel that mailboxes should be attached to the center and thought the City had to be careful how those were handled. She suggested paying for several at the post office. She said she spoke with many churches, businesses, and organizations who had voiced their support and wanted to volunteer. She said many had mentioned providing a continental breakfast to help sustain them until dinner. She thanked him for providing the pictures of the building and thanked his staff for working diligently.

Commissioner Blonder thanked Mr. Fox and said this was something to be very proud of.

Commissioner DePreter said he was in full support of this and expressed his excitement.

Mayor Sikes-Kline thanked Mr. Fox and acknowledged his enthusiasm for the project. She said he was the right man for the job.

11. ITEMS BY CITY ATTORNEY

11.A. Notification of Statutory Permit Extension for the Vault-Big Oak Project– for informational purposes only. (I. Lopez, City Attorney)

Isabelle Lopez, City Attorney, informed the Commission of a developer in the County

who requested a statutory extension to the maximum which was forty-eight months, in order to put the water and sewer into the project.

11.B. 2025 Legislative Session Update Three–for informational purposes only. (A. Owen, Assistant City Attorney)

Isabelle Lopez, City Attorney, reviewed the bills which had been signed into law.

12. ITEMS BY CITY CLERK

12.A. Request for two (2) appointments–1977 City Employees' Retirement System of the City of St. Augustine, Florida, Board of Trustees (GERB). (D. Galambos, City Clerk)

Darlene Galambos, City Clerk, requested two appointments to the 1977 City Employees' Retirement System Board of Trustees. She said the two applications received were from the current Board members who were in good standing and eligible for a second term. She recommended both be reappointed to the Board.

MOTION

Commissioner DePreter MOVED that Tyler Corn and Jeffrey Helms be reappointed to the 1977 City Employees' Retirement System of the City of St. Augustine Board of Trustees. The motion was SECONDED by Commissioner Springfield and APPROVED BY UNANIMOUS VOICE VOTE.

12.B. Open Positions on Boards and Committees. (D. Galambos, City Clerk)

For information purposes only.

13. ITEMS BY CITY MANAGER

David Birchim, City Manager, invited everyone in the community to come out

and watch the fireworks on the Fourth of July.

14. Items by Mayor and Commissioners

Commissioner Garris questioned the parking mentioned by residents, Ally Burchfield, during public comments. She said Ms. Burchfield said the parking on her street had been reduced from twenty spaces down to seven and only half of the street had been surveyed. She felt this could cause a problem and asked if that was accurate.

Mr. Birchim said he was unsure but would follow up and a staff report could be provided at the upcoming commission meeting.

Commissioner Garris pointed out how narrow the streets were in the city. She said people should not be given tickets for being parked the wrong way for visiting friends or family. She thanked everyone involved with the Drop-In Center. She was very pleased that it was coming into the final stages and thought it would be a blessing to the community.

Commissioner DePreter requested a status report on the open ditches and culverts. He said, during his campaign, he noticed some were clogged or not operating well and the Planning and Zoning Board had many discussions regarding the same issue when he was a Board member. He said the Neighborhood Council had been sponsoring walks with Commissioners, and he had done four. He said during these walks, he had learned a lot from the residents and was trying to catalog their concerns and he thanked Scott York for organizing them.

Commissioner Blonder commented that she would be participating in the Ravenswood neighborhood Walk with a Commissioner on Wednesday. She stated she spoke to Mr. Birchim, City Manager, regarding a deadline that would take place by legislation on January 1, 2032, which

would no longer allow wastewater to be discharged into an open basin, which was how it was done currently. She said City staff were looking at alternatives and suggested hiring a consultant to help with the process. She wanted the City to be proactive.

Commissioner Springfield thanked Ms. Kalaidi, a resident, for speaking during public comments about the parking fees. He felt the parking fees needed to be reviewed as \$35 for some was advantageous. He said he had been following the Short-Term Rental (STR) Facebook rental page and there had been complaints about business being down. He commented that the number one homeless issue that was on the rise was elderly, or elderly couples that lose a spouse and could no longer live on their own. He said he appreciated the organizations that helped like the Continuum of Care.

Mayor Sikes-Kline congratulated the St. Augustine Amphitheatre for achieving the rank of #2 Amphitheatre in the United States for ticket sales and Anastasia State Park for ranking in the top ten for beaches. She agreed that the residential parking program mentioned for Rohde Avenue was essential to mobility and looked forward to the report at an upcoming meeting.

15. Adjournment

There being no further business, the meeting was adjourned at 8:10 P.M.²

Nancy Sikes-Kline, MAYOR

Darlene Galambos, CITY CLERK

² Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE

City Commission Special Meeting Monday, July 14, 2025

The City Commission met in a formal session on Monday, July 14, 2025, at 3:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Cynthia Garris, City Commissioner
Jim Springfield, City Commissioner
Jon DePreter, City Commissioner

Absent: Barbara Blonder, Vice Mayor/City Commissioner

Also Present: David Birchim, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Melissa Burns, Director, Finance
Anthony Cuthbert, Assistant Police Chief
Elyse Wiemann, Recording Secretary

2. General Public Comments

The Commissioners heard from the following members of the public:

- BJ Kalaidi

3. FISCAL YEAR 2026 BUDGET ASSUMPTIONS DISCUSSION

3.A. Revenue Manual Review. (M. Burns, Finance Director)

Melissa Burns, Finance Director, presented the Revenue Manual for the Fiscal Year (FY) 2026. She discussed the following items in the General Fund:

- Ad Valorem Taxes
- Franchise Fees
- Utility Taxes
- Intergovernmental Revenues which included Communication, Half-Cent Sales Tax

- Local Option Gas Tax, which had to be used for roadways
- Building Permits and Fees
- Fire Assessment Fee
- Rents and Royalites
- Meter Parking Fees
- Meter Parking Fines
- Short-Term Rental (STR) Permits

Ms. Burns outlined the proprietary funds which had to be spent directly in these categories as follows:

- Stormwater
- Utility
- Solid Waste
- Municipal Marina
- Visitors Information Center

Mayor Nancy Sikes-Kline noted the funds that staff were recommending increase at 2.3%, which was the rate of the Consumer Price Index (CPI) were:

- Stormwater
- Solid Waste: residential and commercial

Mayor Sikes-Kline asked if the Fire Assessment would be increased this year or if a study would be done and an increase applied to the 2026 budget.

Ms. Burns confirmed that there would be a study conducted, and the increase would be applied to the 2026 budget.

Commissioner Jim Springfield asked how much was left in the reserves. He said depending on the amount of money left in the reserves would determine if he wanted to raise the cost.

Ms. Burns replied that she could provide that information. She noted that there was a surcharge that was applied to those outside the City, which was reduced yearly and by raising the cost by the CPI, this would help reduce financial burden.

Commissioner Jon DePreter asked where the other half of the fire assessment came from if we only received 50%.

Mr. Burns replied that the other half of the Fire Assessment came from the General Fund.

Commissioner DePreter said that the Fire Assessment was recommended by staff for an increase in 2026.

Ms. Burns replied that before the Fire Assessment was increased, a consultant would be hired to help evaluate the fees before implementation.

Commissioner DePreter asked if metered parking was recommended for an increase too.

David Birchim, City Manager, stated that was correct; however, that would be clarified further during the regular City Commission meeting with the Night of Lights presentation.

Commissioner DePreter asked if a cost increase for Short-Term Rental permits was recommended.

Mr. Birchim confirmed that the increase would be by the CPI.

Mayor Sikes-Kline clarified the funds that would be increased by the CPI was:

- Stormwater
- Solid Waste: residential and commercial
- Short-Term Rental
- Fire Assessment Fee in 2026
- Parking Fines

Ms. Burns said water and sewer were included; however, those could be increased by City Code. She said that Rents and Royalites was increasing as well by the CPI of 2.3%.

Commissioner DePreter asked that a list be provided separately for the items that would be increased in order to be clear.

Mayor Sikes-Kline agreed that it would help make things clear for the public.

Commissioner Cynthia Garris said she was concerned with the parking tickets. She said the price increase from \$35 to \$100 was a bit extreme.

Mr. Birchim said that the fee increase was limited to illegal parking, not including a meter parking space that had expired but a yellow curb, or a no parking zone.

Commissioner Garris asked if signage would be posted. She felt the changes were catered to the Nights of Lights; however, Nights of Lights was a season and if a resident had a visitor park where a

yellow curb was, she did not want them to receive a \$100 ticket.

Mayor Sikes-Kline said that it would be further discussed during the Nights of Lights presentation at the regular City Commission meeting.

Mr. Birchim replied that the increase was to prevent people from parking in places where people knew it was illegal but were fine with paying the \$35 fine.

Commissioner Garris suggested instead of increasing the fine to \$100 it could be \$50, or a sign could be posted that the vehicle would be towed to discourage people from parking illegally.

Mayor Sikes-Kline agreed that higher penalties should be given to those who tried to create or invent parking where it did not belong. She said parking on a yellow curb was not safe as it blocked sight lines and parking on the grass, sidewalks, or in areas where they did not belong was an issue.

Commissioner Springfield thanked Ms. Burns for her hard work, and he appreciated the work her and her staff had accomplished.

Public Comment was reopened and the Commission heard from the following member of the public:

- Vicki Pepper

Mr. Birchim clarified that the proposed rate increase was the CPI at 2.3%.

Mayor Sikes-Kline asked for the next budget meeting date.

Darlene Galambos, City Clerk, advised the next budget meeting would take place on August 28, 2025, at 9:00 a.m. and if needed, it would continue August 29, 2025, at 9:00 a.m.

4. Adjournment

There being no further business, the meeting was adjourned at 3:31 P.M.¹

Nancy Sikes-Kline, MAYOR

Darlene Galambos, CITY CLERK

¹ Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

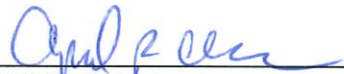
DATE: July 21, 2025

RE: **SATISFACTION AND RELEASE OF UTILITY MORTGAGE – 2717 USINA STREET**

Enclosed is a Satisfaction and Release of Mortgage for 2717 Usina Street, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine and Stephen McAloon. The mortgage was recorded in the Public Records of St. Johns County on August 10, 2021. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the August 11, 2025 City Commission meeting.

Please contact me if you have any questions or comments. Thank you.

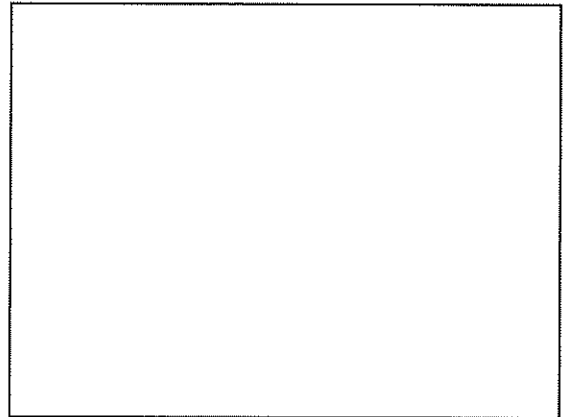


April R. Owen
Assistant City Attorney

/sl
Attachment

xc: Darlene Galambos, City Clerk (with original)

This instrument was prepared under the supervision and direction of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085



**SATISFACTION AND
RELEASE OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF ST. AUGUSTINE, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085-0210 (hereinafter referred to as "Mortgagee"), in consideration of the covenants and agreements set forth hereinafter, hereby releases **STEPHEN MCALOON**, whose address is 2717 Usina Street, St. Augustine, Florida 32084, his heirs, assigns or successors in title (hereinafter referred to as "Mortgagor"), from the Mortgage entitled, "Unit Connection Fee Mortgage," executed between the parties and dated July 1, 2021, recorded at Official Records Book 5340, Page 275, of the Public Records of St. Johns County, Florida, and relating to that certain lot, parcel or piece of land situated in the City of St. Augustine, St. Johns County, Florida, described in **Exhibit "A"** attached hereto and incorporated herein.

Mortgagee hereby releases said Mortgagor from any obligations created by or existing by virtue of said Mortgage and the Promissory Note relating thereto recorded at Official Record Book 5340, Page 275, of the Public Records of St. Johns County, Florida, and such obligations related to said documents have been fully performed and are therefore satisfied.

IN WITNESS WHEREOF, this Satisfaction and Release of Mortgage has been duly signed and executed by the Mortgagee, this _____ day of _____, 2025.

ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

Darlene Galambos, City Clerk
(S E A L)

By: _____
Nancy Sikes-Kline, Mayor-Commissioner

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, by means of ☐ physical presence or ☐ online notarization, **Nancy Sikes-Kline**, who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that she executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 2025.

Notary Public, State of Florida

(S E A L)

EXHIBIT "A"

LEGAL DESCRIPTION: A LOT OR TRACT OF LAND SITUATED IN U. S. LOT ONE (1), SECTION ELEVEN (11), TOWNSHIP SEVEN (7) SOUTH, RANGE TWENTY-NINE (29) EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON BAR AT THE SOUTHEAST CORNER OF SAID U.S. LOT1; THENCE SOUTH 88 DEGREES 30 MINUTES WEST (MAGNETIC) 165 FEET TO A POINT; THENCE NORTH 1 DEGREE 30 MINUTES WEST (MAG) 253 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING THE SOUTHWEST CORNER OF PROPERTY CONVEYED TO ILA M. USINA AS SHOWN IN DEED BOOK 109, PAGE 459 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 1 DEGREE 30 MINUTES EAST 70 FEET TO A POINT; THENCE NORTH 88 DEGREES 30 MINUTES EAST 165 FEET TO THE EAST LINE OF SAID U. S. LOT 1; THENCE NORTH 1 DEGREE 30 MINUTES WEST 70 FEET TO THE SOUTHEAST CORNER OF AFORESAID ILA M. USINA LAND; THENCE RUN SOUTH 88 DEGREES 30 MINUTES WEST ALONG SOUTH LINE OF SAID ILA M. USINA LAND 165 FEET TO POINT OF BEGINNING.

EXCEPTING THEREFROM THE EAST 1S FEET THEREOF TO BE USED FOR STREET OR ROAD PURPOSES ONLY.

ALSO LESS AND EXCEPT ANY PORTION THEREOF LYING WITHIN THE RIGHT-OF-WAY OF USINA STREET, AS PRESENTLY ESTABLISHED.

PARCEL ID NUMBER: 089240-0000

LOCATION ADDRESS: 2717 USINA STREET, ST. AUGUSTINE, FLORIDA 32084

**UNIT CONNECTION FEE
MORTGAGE**

THIS MORTGAGE, by and between, **Stephen McAloon**, whose address is 2717 Usina Street St. Augustine, FL. 32084 (hereinafter called "Mortgagor") and **CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation organized under the laws of the State of Florida, whose address is P.O. Box 210, Attention Financial Services Dept., St. Augustine, Florida, 32085 (hereinafter called "Mortgagee").

WITNESSETH that for good and valuable consideration, and also in consideration of the Mortgagee's deferment of certain water and/or sewer unit connection fees owed by the Mortgagor to the Mortgagee as evidenced by the Unit Connection Fee Promissory Note hereinafter described, the said Mortgagor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee all that certain piece, parcel or tract of land of which the said Mortgagor is now seized and possessed and in actual possession, situate in the county of St. Johns and state of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all structures and improvements now and hereafter on said land, and the fixtures attached thereto.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all the estate, right, title, interest, homestead, separate estate, possession, claim and demand whatsoever, as well in law as in equity, of the said Mortgagor in and to the same, and every part thereof, unto the said Mortgagee, in fee simple.

And the Mortgagor hereby covenants with the Mortgagee that it is indefeasibly seized of said land in fee simple; that it has full power and lawful right to convey the same in fee simple as aforesaid; and that said Mortgagor will make such further assurances to prove the fee simple title to said land to said Mortgagee as may be reasonably required.

Provided always, and these presents are executed and delivered upon the following conditions, to-wit:

The Mortgagor agrees to timely pay the Mortgagee, or order, the payments described in the copy of the Unit Connection Fee Promissory Note attached hereto as Exhibit "B" in the manner and at the times described therein.

And shall duly, promptly and fully perform, discharge, execute, effect, complete and comply with and abide by each and every of the stipulations, agreements, conditions, and covenants of said Promissory Note and of this mortgage, then this mortgage and the estate hereby created shall cease and be null and void.

And the Mortgagor further covenants as follows:

1. That it will pay all and singular the costs, charges and expenses, including reasonable attorney's fees, and costs of abstracts of title, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of said Promissory Note and this mortgage, and said costs, charges and expenses shall be immediately due and payable and shall be secured by the lien of this mortgage.

2. That (a) in the event of any breach of this mortgage or any mortgage superior or junior hereto or default on the part of the Mortgagor under this or any other mortgage encumbering the property mortgaged hereby, or (b) in the event that any of said sums of money herein referred to be not promptly and fully paid without demand or notice, or (c) in the event that each and every of the stipulations, agreements, conditions and covenants of said note and this mortgage are not promptly and fully performed, then in either or any such event, the said aggregate sum mentioned in said note then remaining unpaid, with interest accrued to that time, and all moneys secured hereby, shall become due and payable forthwith, or thereafter, at the option of said Mortgagee, as fully and completely as if all of the said sums of money were originally stipulated to be paid on such day, anything in said note or in this mortgage to the contrary notwithstanding; and thereupon or thereafter, at the option of said Mortgagee, without notice or demand, suit at law or in equity May be prosecuted as if all moneys secured hereby had matured prior to its institution. The Mortgagee May foreclose this mortgage, as to the amount so declared due and payable, and the said premises shall be sold to satisfy and pay the same, together with costs, expenses and allowances.

3. That the Mortgagee will make monthly payments in the amount of \$53.02 for 120 Months, with the first payment due August 15, 2021.

July 1 2021 IN WITNESS WHEREOF, the Mortgagor has hereunto set its hand and seal, this

Signed, sealed and delivered in the presence of:

Taya Hoff
Witness
Printed Name: Taya Hoff

BY: Stephen D. McAloon
(Name) Stephen McAloon
(Address) 2717 Usina St.
(Telephone) (904) 829-0299

Brianna Willis
Witness
Printed Name: Brianna Willis

*** NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE ***

FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida
COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Stephen McAloon**, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced FL Drivers License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this July 1 2021.

Taya Hoff
Notary Public, State of Florida

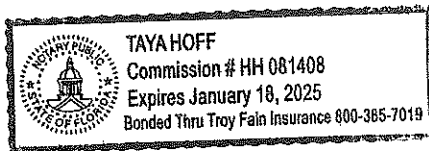


Exhibit "A"

LEGAL DESCRIPTION

Parcel ID Number: 0892400000

A LOT OR TRACT OF LAND SITUATED IN U. S. LOT ONE (1), SECTION ELEVEN (11), TOWNSHIP SEVEN (7) SOUTH, RANGE TWENTY-NINE (29) EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON BAR AT THE SOUTHEAST CORNER OF SAID U. S. LOT 1; THENCE SOUTH 88 DEGREES 30 MINUTES WEST (MAGNETIC) 165 FEET TO A POINT; THENCE NORTH 1 DEGREE 30 MINUTES WEST (MAG) 253 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING THE SOUTHWEST CORNER OF PROPERTY CONVEYED TO ILA M. USINA AS SHOWN IN DEED BOOK 189, PAGE 459 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 1 DEGREE 30 MINUTES EAST 70 FEET TO A POINT; THENCE NORTH 88 DEGREES 30 MINUTES EAST 165 FEET TO THE EAST LINE OF SAID U. S. LOT 1; THENCE NORTH 1 DEGREE 30 MINUTES WEST 70 FEET TO THE SOUTHEAST CORNER OF AFORESAID ILA M. USINA LAND; THENCE RUN SOUTH 88 DEGREES 30 MINUTES WEST ALONG SOUTH LINE OF SAID ILA M. USINA LAND 165 FEET TO POINT OF BEGINNING.

EXCEPTING THEREFROM THE EAST 15 FEET THEREOF TO BE USED FOR STREET OR ROAD PURPOSES ONLY.

ALSO LESS AND EXCEPT ANY PORTION THEREOF LYING WITHIN THE RIGHT-OF-WAY OF USINA STREET, AS PRESENTLY ESTABLISHED.

**UNIT CONNECTION FEE
PROMISSORY NOTE**

APPLICANT(S) NAME: Stephen McAloon
ADDRESS: 2717 Usina St.
St. Augustine, FL. 32084

\$5,462.00

St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at 2717 Usina Street St. Augustine, FL. 32084, the undersigned, jointly and severally, promises to pay to the order of **CITY OF ST. AUGUSTINE, P.O. Box 210, St. Augustine, Florida, 32085**, or elsewhere as the holder hereof may from time to time require, the principal sum of **5,462.00 Dollars**, together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **3.11 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **53.02 Dollars**, commencing on August 15, 2021 and continuing on the same date each and every month thereafter until paid in full, said installments to be applied first to interest and the balance to principal.

The maker(s) hereof waives presentment for payment and demand. Time is of the essence hereof. It is expressly agreed that if this Note or any part or installment thereof be not paid within ten (10) days after the same becomes due and payable, anything herein to the contrary notwithstanding, the maker(s) hereof understands that all unpaid sums shall immediately be due and payable at once, without notice or demand, together with all costs of collection, including reasonable attorney's fees, whether suit be filed or not.

The maker(s) hereof may prepay any part of the principal sum hereof in any amount at any time, but any such prepayment shall not relieve the maker(s) hereof from making payment of the installment then due nor any subsequent installment provided hereby, unless at the time of such prepayment the maker(s) hereof pays all sums hereon.

Any waiver of the right to exercise any option by the holder hereof shall not constitute a waiver of the right to exercise said option at any future time.

All notices, demand, presentment, dishonor and requirements under any law of Florida are hereby expressly waived.

Note: Fl. Stat. 159.17 – Lien of services charges – any municipality issuing revenue bonds hereunder shall have a lien on all lands or premises served by any water system, sewer system or gas system for all service charges for such facilities until paid, which liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of such state, county and municipal taxes. Such liens, when delinquent for more than 30 days, may be foreclosed by such municipality in the manner provided by the laws of Florida for the foreclosure of mortgages on real property.

Exhibit "B"

This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

Signed, sealed and delivered **dated as of** July 1 2021, in the presence of:

Taya Hoff
Witness
Printed Name: Taya Hoff

BY: Stephen S. McAloon
(Name) Stephen McAloon
(Address) 2717 Usina St.
(Telephone) (904) 829-0299

Brianne Willis
Witness
Printed Name: Brianne Willis

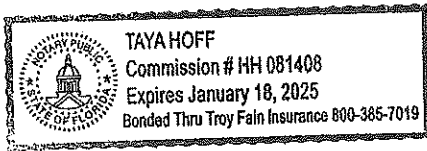
FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Stephen McAloon**, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced FL Drivers License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this July 1 2021.



Taya Hoff
Notary Public, State of Florida

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: July 21, 2025

RE: QUARTERLY REPORT: 3RD QUARTER FY 2024-2025

Please find enclosed the following documents reflecting the fiscal year 2024-2025 3rd quarter in review for the City Attorney's office:

- ❖ **WORK LOG DRAFTING & REVIEW CHART (223 ITEMS)**
- ❖ **PUBLIC MEETINGS ATTENDANCE CHART (69.75 HOURS)**
- ❖ **CITY ORDINANCE VIOLATION DISPOSITION CHART (19 CASES)**
- ❖ **ORDINANCE & RESOLUTION CHART (23 ITEMS)**
- ❖ **STAFF & NEW BOARD MEMBER TRAINING CHART (6 HOURS)**

This quarterly report mirrors the same categories as our annual report. As always, should you wish to meet with me individually to discuss any of this information, or the specifics of a particular matter, please do not hesitate to let me know.

Matters of ongoing civil litigation with retained outside counsel appropriated from General Fund Reserves, invoiced monthly and approved on consent agenda are:

- 1) Marlowe v. City (*Docks and the City's submerged lands and riparian ownership*). Appellate Court overturned the lower Court's summary judgement and returned the case to the lower Court. Trial is scheduled for June 2025. Prior to trial the parties reached a settlement. An agreement was executed on April 14, 2025 and the case was dismissed. This case is now closed.

Matters of ongoing bankruptcy and civil litigation being handled in house are:

- 1) Big Lots, Inc. (*Unpaid utilities - Bankruptcy*)
- 2) Bank of America v. Maypray (*Mortgage foreclosure in which the City has a CRA rehabilitation lien. Currently on inactive status.*)

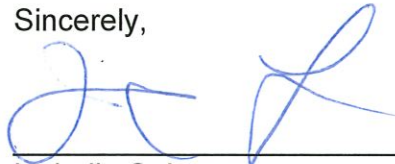
In addition, the Florida League of Cities provides coverage on some damages-based litigation.

Other litigation matters of note are:

- 1) Eminent Domain/Order of Taking: This is a matter recently filed involving multiple homeowners regarding the City's Lake Maria Sanchez Flood Mitigation and Drainage Improvement Project. The City has attempted to obtain all necessary easements for the project by voluntary agreement with property owners, however it has been unable to do so. The projected value of the easements still needed, along with other expenses for the order of taking is \$427,399.00.

Please place this quarterly report on the consent agenda for the August 11, 2025 City Commission meeting. The attached charts are included for the Commission's information, and I am available for a presentation if the Commission requests one.

Sincerely,



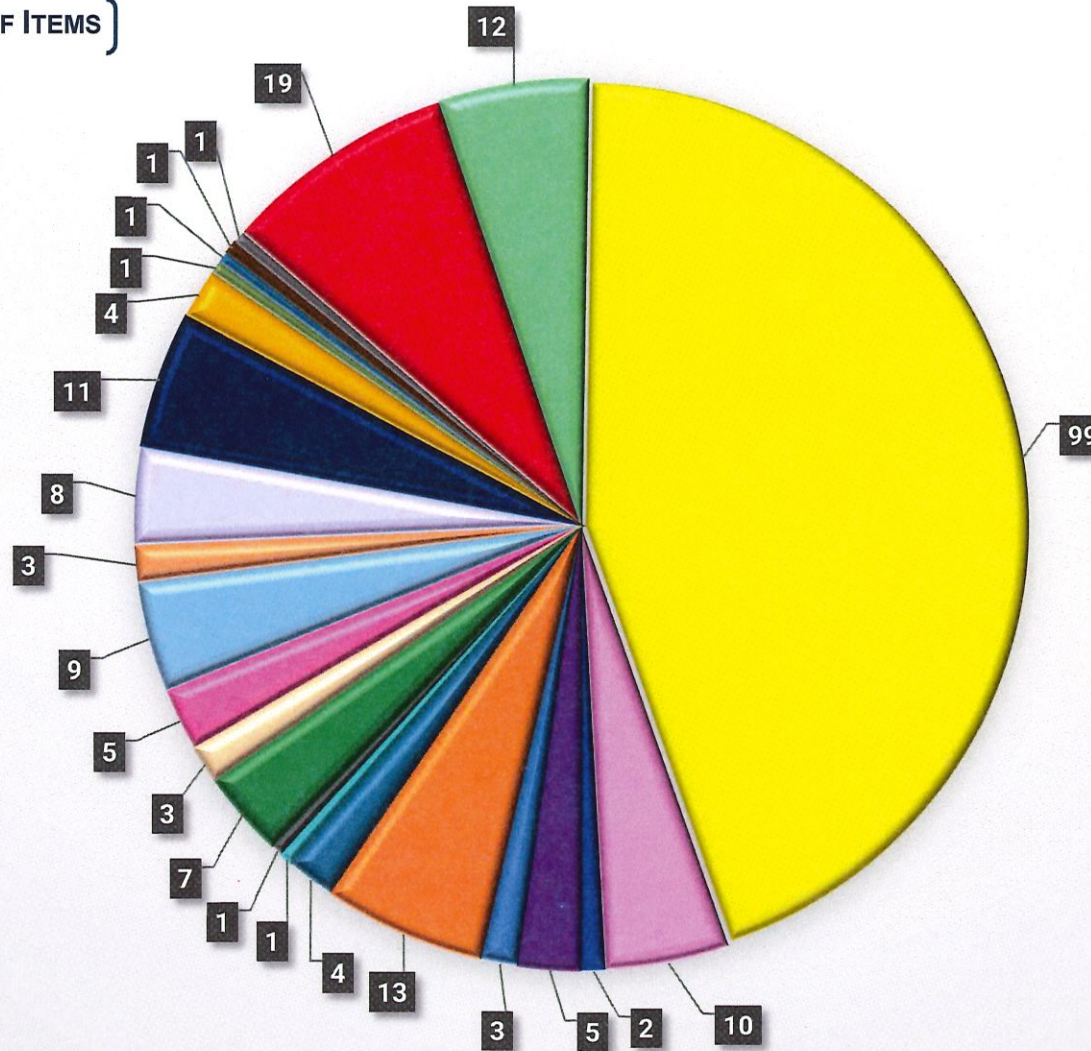
Isabelle C. Lopez
City Attorney

Attachments

WORK LOG DRAFTING & REVIEW: 3RD QUARTER FY 2024-2025

(BY NUMBER OF ITEMS)

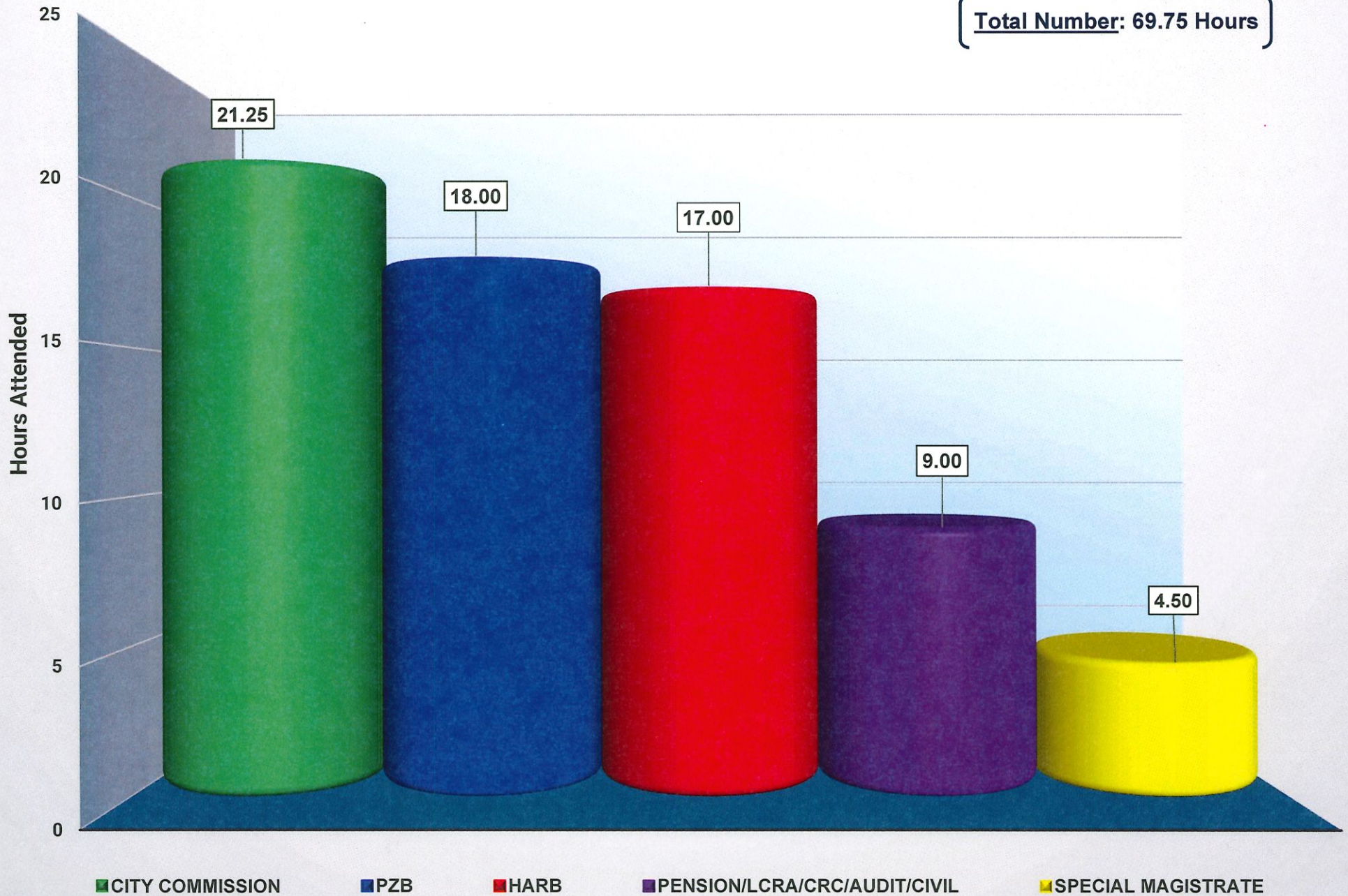
(TOTAL: 223 ITEMS)



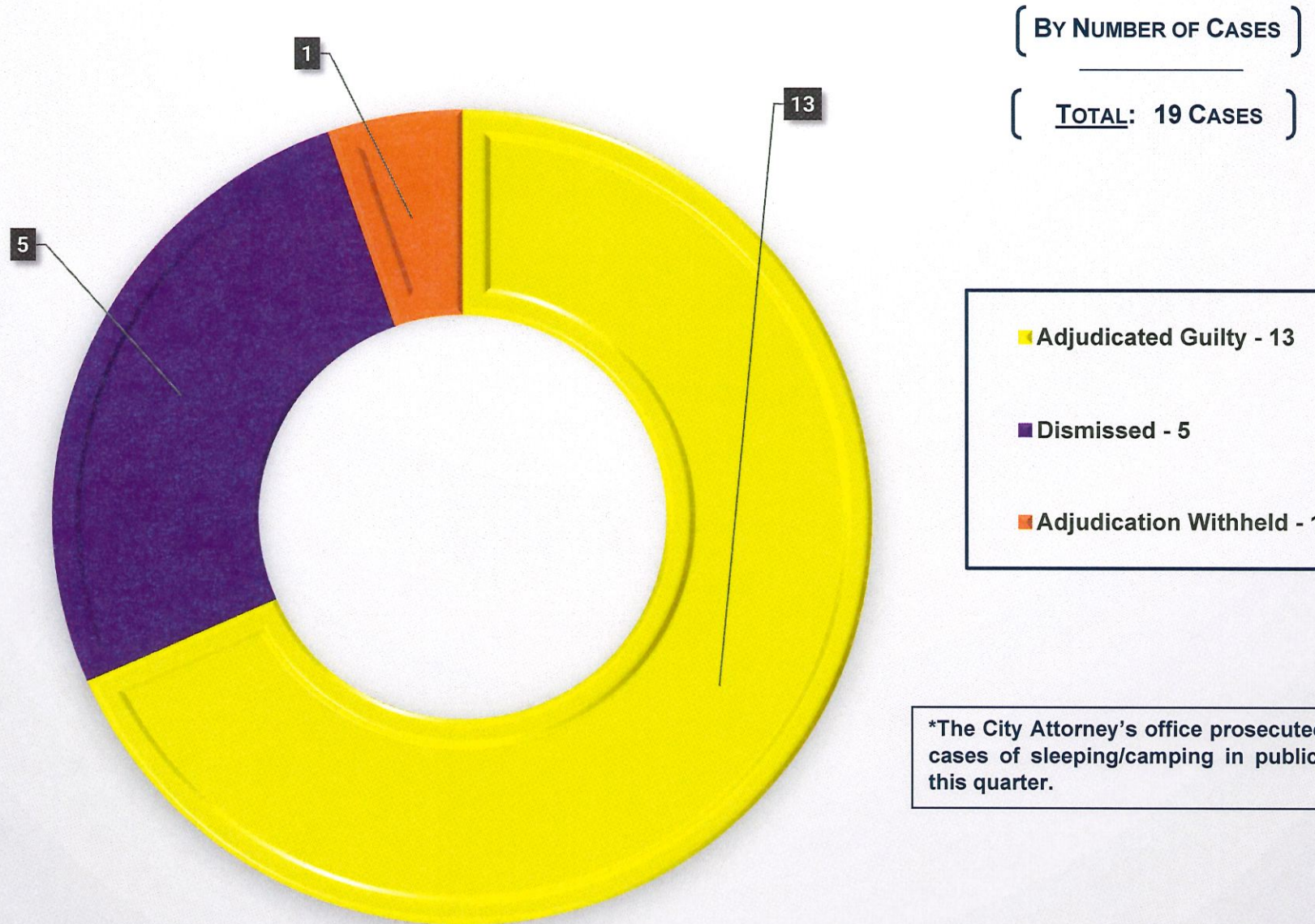
Agreement - 99	Bill of Sale - 10	Contract - 2	Correspondence - 5
Deed - 3	Easement - 13	Form - 4	Franchise - 1
Interlocal Agreement - 1	Lease - 7	License - 3	Lien Release - 5
Maintenance Bond - 9	Memorandum of Understanding - 3	Order - 8	Ordinance - 11
Performance Bond - 4	Plat - 1	Pleading - 1	Policy - 1
PUD - 1	Research - 19	Resolution - 12	

PUBLIC MEETING ATTENDANCE: 3RD QUARTER FY 2024-2025

(Total Number: 69.75 Hours)



CITY ORDINANCE VIOLATIONS: 3RD QUARTER FY 2024-2025



*The City Attorney's office prosecuted six (6) cases of sleeping/camping in public during this quarter.

ORDINANCES & RESOLUTIONS – 3RD QUARTER FY 2024-2025

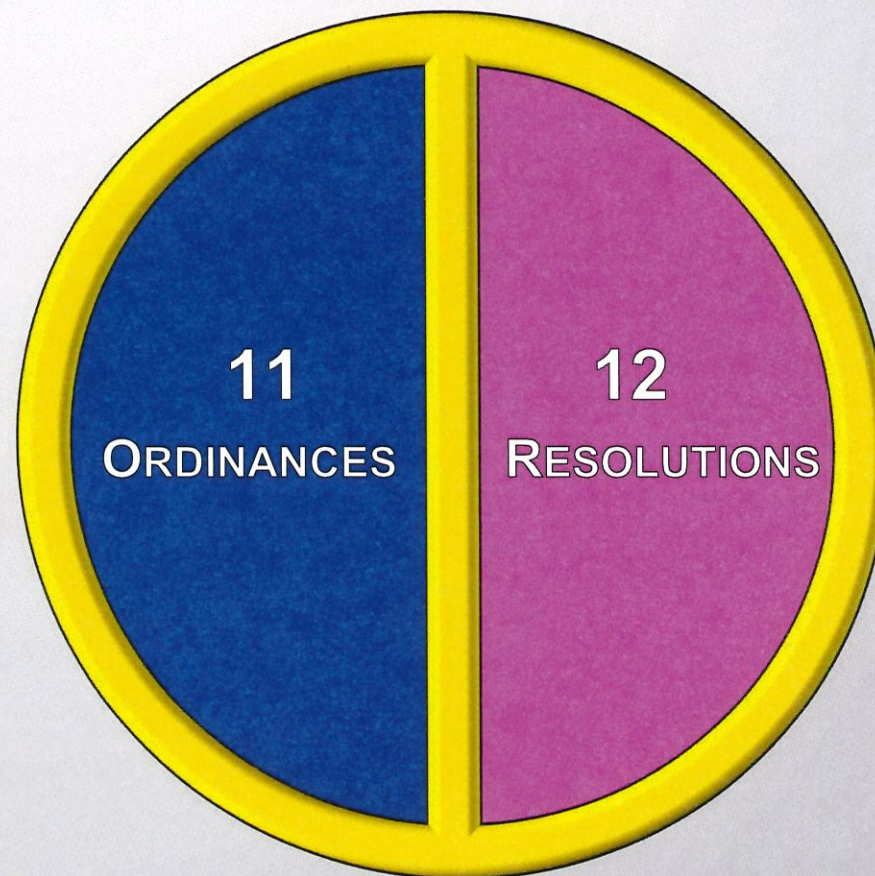
(TOTAL: 23 ITEMS)

ORDINANCES

- 2025-06**: Mobile Vendor Restrictions
- 2025-07**: West City Community Redevelopment Plan
- 2025-08**: Noise Control Regulations
- 2025-09**: 36 Granada Street PUD Rezoning
- 2025-10**: Update to Water Supply Plan
- 2025-11**: Shipyards PUD Rezoning
- 2025-12**: 241 W. King Street FLUM Amendment
- 2025-13**: 241 W. King Street PUD Rezoning
- 2025-14**: 500 Anastasia Blvd. FLUM Amendment
- 2025-15**: 500 Anastasia Blvd. PUD Rezoning
- 2025-16**: Designating Plat Review Administrative Authority

RESOLUTIONS

- 2025-12**: Adopting West City Community Redevelopment Plan
- 2025-13**: FDOT Agreement for STAR Circulator
- 2025-14**: FDOT Agreement for Lion Statue Removal
- 2025-15**: FDOT Traffic Signal Maintenance Agreement
- 2025-16**: Local Mitigation Strategy Update and Adoption
- 2025-17**: Grant for Archaeology Heritage Trails
- 2025-18**: Purchase of 160 Marine Street
- 2025-19**: 2025 Vision Plan Update
- 2025-20**: FDOT Highway Maintenance Agreement
- 2025-21**: Request SJRWMD & FL DEP Reduce Permit Fees
- 2025-22**: Authorizing SUN Trail Network Agreement
- 2025-23**: Opposing Offshore Oil and Gas Leasing



STAFF & NEW BOARD MEMBER TRAINING: 3RD QUARTER FY 2024-2025

(BY NUMBER OF HOURS)

(TOTAL: 6 HOURS)



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: August 11, 2025

RE: City Commission approval to use City crest

On Sunday, January 25, 2026, the Jacksonville Icemen would like to host a government employee appreciation event. They have extended the invitation to include St. Johns County, City of St. Augustine, and City of St. Augustine Beach government employees.

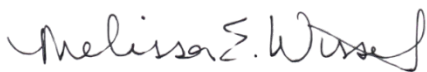
The marketing team at the Jacksonville Icemen are creating a flyer for us to use in promoting this event when inviting our employees to purchase discount tickets for the game. At the game, they will seat everyone together, and we are invited down to the ice after the game for a shot on goal.

This is the first time we have been approached to coordinate such an inclusive, family-friendly, fun event with all three local governments.

With the approval of the City Commission, we will provide the crest for the sole purpose of promoting this event to St. Johns County, City of St. Augustine, and City of St. Augustine Beach government employees. I have attached a copy of the proposed flyer.

Please place this on the Consent Agenda for August 11, 2025, regular City Commission meeting for review and approval.

Respectfully,



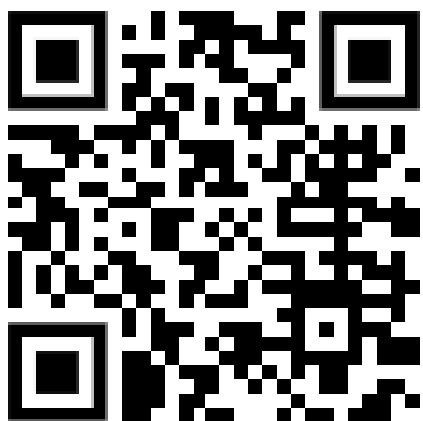
Melissa Wissel, Communications Director



ST. JOHNS COUNTY NIGHT WITH THE ICEMEN!

Join fellow St. Johns County members as we celebrate St. Johns County Night with the Icemen on Sunday, January 25 at 3 pm!

All guests will be welcomed down to the ice post-game for a shot on goal!



TO PURCHASE TICKETS, PLEASE VISIT:

<https://www.gofevo.com/event/sjc>

(904)-602-7825 | info@jacksonvilleicemen.com