



## PLANNING COMMISSION MEETING

March 5, 2024

5:00 PM

Administration Building,  
4th Floor, BCC Meeting Room, 477 Houston Street,  
Green Cove Springs, FL 32043

Pledge of Allegiance

Call to Order

### 1. **Approval of Minutes**

Planning Commission Meeting Minutes and Attachments February 6, 2024.

### **Public Comment**

### **Public Hearings**

1. Public Hearing to consider COMP 24-0001. (District 2, Comm. Compere) (B. Carson)  
This application is a Small-Scale Comprehensive Plan Amendment to change 7.71 acres from Rural Residential (RR) to Branan Field Master Planned Community (BF MPC)
2. Public Hearing to consider ZON 24-0005 (renumbering of Art. III, Sec. 3-5) (D. Selig)  
This application is a Staff initiated amendment to Article III. Sec. 3-5 Conditional Uses. The amendment will renumber the list of conditional uses to bring them back into alphabetical order. The amendment will also reserve certain numbers in advance of a proposed amendment to add regulations related to aircraft and airports. No new conditional uses are proposed by this amendment nor are any conditional uses changed by this amendment.
3. Public Hearing to Consider ZON-24-0003, Proposal Addressing Land Clearing Disposal Conditional Use (E. Lehman, D. Selig)  
This proposed change reduces the zoning districts that allow for land clearing debris off-site disposal facility as a conditional use and clarifies that the disposal is for off-site debris only.

### **Presentations**

1. Live Local Presentation

### **Old Business/New Business**

### **Public Comment**

Adjournment

***In accordance with the Americans with Disabilities Act, any person needing a special accommodation to participate in this matter should contact the Clay County ADA Coordinator by mail at Post Office Box 1366, Green Cove Springs, FL***

***32043, or by telephone at number (904) 269-6347 no later than three (3) days prior to the hearing or proceeding for which this notice has been given. Hearing impaired persons can access the foregoing telephone number by contacting the Florida Relay Service at 1-800-955-8770 (Voice), or 1-800-955-8771 (TDD).***



Agenda Item  
PLANNING COMMISSION

Clay County Administration Building  
Tuesday, March 5 5:00 PM

TO:                      DATE:

FROM:

SUBJECT:

AGENDA  
ITEM  
TYPE:

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ATTACHMENTS:

| Description   | Type            | Upload Date | File Name   |
|---|-----------------|-------------|---|
| Planning Commission Meeting Minutes and Attachments February 6, 2024. | Backup Material | 2/27/2024   | Planning_Commission_Meeting_Mintues_and_Attachments.ADA.pdf |



## PLANNING COMMISSION MINUTES

February 6, 2024

5:00 PM

Administration Building,  
4th Floor, BCC Meeting Room,  
477 Houston Street,  
Green Cove Springs, FL 32043

### Pledge of Allegiance

Commissioner Michael Bourré led the Pledge of Allegiance.

### Call to Order

**Present:** Commissioner Mary Bridgman, Chairman  
Commissioner Michael Bourré  
Commissioner Joe Anzalone  
Commissioner Howard "Bo" Norton  
Commissioner Bill Garrison  
Commissioner Ralph Puckhaber  
Clay County School Board Representative Lance Addison

**Absent:** Commissioner Pete Davis, Vice-Chairman  
Camp Blanding Representative Sam Tozer

**Staff Present:** County Attorney Courtney Grimm  
Assistant County Attorney Jamie Hovda  
Director of Planning Ed Lehman  
Deputy Director of Planning Beth Carson  
Chief Planner Dodie Selig  
Zoning Chief Mike Brown

Chairman Mary Bridgman called the meeting to order at 5:01 pm

Chairman Mary Bridgman recognized several staff members in attendance, including Vice-Chairman of the BCC - Commissioner James Renninger, and thanked Deputy Ashe, Deputy Leonard, and Deputy Loupe for providing security.

### 1. **Approval of Minutes**

Planning Commission Meeting Minutes and Attachments January 2, 2024.

Commissioner Howard "Bo" Norton made a motion for approval of the January 2, 2024, Planning Commission Meeting minutes, seconded by Commissioner Joe Anzalone, which carried 7-0.

## **Public Comment**

Chairman Mary Bridgman opened the floor for public comment at 5:05 pm.

Hearing no comments, Chairman Mary Bridgman closed public comment at 5:05 pm.

## **Public Hearings**

1. Public Hearing to consider COMP 23-0016 and ZON 23-0028. (District 5, Comm. Burke) (M. Brown)

**COMP 23-0016** Small Scale land use change 10 acres from Agriculture to Agriculture/Residential

**ZON 23-0028** Zoning map amendment of 10 acres from Agricultural to Agricultural/Residential.

*Public Hearing to consider COMP-23-0016 and ZON-23-0028 can be seen at [www.claycountygov.com/Government/clay-county-tv-and-video-archive/Planning-Commission/](http://www.claycountygov.com/Government/clay-county-tv-and-video-archive/Planning-Commission/) February 6, 2024, beginning at 9:57 and ending at 19:02. Below is a summary of the discussion and the vote for this agenda item.*

**All those who wished to speak during public hearings were sworn in.**

Mike Brown, Chief Planner, presented a PowerPoint presentation regarding the public hearing to consider COMP-23-0016 and ZON-23-0028. See Attachment A.

- **COMP-23-0016:** Small Scale land use change 10 acres from Agriculture to Agriculture/Residential
- **ZON-23-0028:** Zoning map amendment of 10 acres from Agricultural to Agricultural/Residential.

Following questions and discussions by the Commission and staff, Chairman Mary Bridgman opened the floor for the public hearing at 5:18 pm.

Hearing no comments, Chairman Mary Bridgman closed the public hearing at 5:18 pm.

Commissioner Ralph Puckhaber made a motion for approval of the staff report for COMP-23-0016, seconded by Commissioner Michael Bourré, which carried 7-0.

Commissioner Bo Norton made a motion for approval of the staff report for ZON-23-0028, seconded by Commissioner Michael Bourré, which carried 7-0.

2. Public Hearing to consider PCD 23-0016. (District 1, Comm. Cella) (M. Brown)  
Rezoning of 1.36 acres from PCD and BA to PCD.

*Public Hearing to consider PCD-23-0016 can be seen at [www.claycountygov.com/Government/clay-county-tv-and-video-archive/Planning-Commission/February 6, 2024](http://www.claycountygov.com/Government/clay-county-tv-and-video-archive/Planning-Commission/February 6, 2024), beginning at 19:03 and ending at 38:40. Below is a summary of the discussion and the vote for this agenda item.*

Mike Brown, Chief Planner, presented a PowerPoint presentation regarding the public hearing to consider PCD-23-0016, the rezoning of 1.36 acres from Planned Community Development (PCD) and Business (BA) to PCD. See attachment B.

Following comments, questions and discussions by the Commission and staff, Emily Pierce, Attorney with Rogers Towers Law, PA (Agent) addressed the Commission to provide an overview and details regarding the requested changes.

Matt Melchiori, Professional Engineer with Prosser, Inc., 13901 Sutton Park Drive, Jacksonville, Florida, addressed the Commission to provide details regarding the changes made for access to the property. See Attachment C.

Following questions, discussions, and comments and concerns regarding the allowable uses by the Commission, Chairman Mary Bridgman opened the floor for the public hearing at 5:30 pm.

Hearing no comments, Chairman Mary Bridgman closed the public hearing at 5:30 pm.

Chairman Mary Bridgman noted the emails received in opposition to the requested change. See Attachment D.

Commissioner Michael Bourré made a motion for approval of staff report.

The Commission, staff, agent, and owner had continued discussions regarding allowable uses and language as written in the staff report.

Following all discussions, Commissioner Michael Bourré amended his motion for approval as discussed to strike the zoning chief as the sole authority for approval, permitted uses limited to "A self-service tunnel car wash with self-service vacuum stations (the "Car Wash").", seconded by Commissioner Bill Garrison, which carried 5-1, with Commissioner Joe Anzalone in opposition.

3. Public Hearing to consider ZON 24-0002. (B. Carson)

This is a Land Development Code change to Sec. 8-20, Fire Protection.

*Public Hearing to consider ZON-24-0002 can be seen at [www.claycountygov.com/Government/clay-county-tv-and-video-archive/Planning-Commission/February 6, 2024](http://www.claycountygov.com/Government/clay-county-tv-and-video-archive/Planning-Commission/February 6, 2024), beginning at 38:43 and ending at 43:13. Below is a summary of the discussion and the vote for this agenda item.*

Beth Carson, Deputy Director of Planning, presented a PowerPoint presentation regarding the public hearing to consider ZON-24-0002, a Land Development Code change to Section 8-20, Fire Protection. See Attachment E.

Lorin Mock, Fire Chief, addressed the Commission to provide details and information about the requested change.

Chairman Mary Bridgman opened the floor for the public hearing at 5:43 pm.

Hearing no comments, Chairman Mary Bridgman closed the public hearing at 5:43 pm.

Commissioner Ralph Puckhaber made a motion for approval of staff report for ZON-24-0002, seconded by Commissioner Joe Anzalone, which carried 6-0.

4. Public Hearing to consider COMP-24-0003 (Transportation Element) (D. Selig)

This application is a proposed text amendment to the Clay County Comprehensive Plan, to amend certain language related to airports under Goal 5 of the Transportation Element.

*Public Hearing to consider COMP-24-0003 and ZON-23-0029 can be seen at [www.claycountygov.com/Government/clay-county-tv-and-video-archive/Planning-Commission/](http://www.claycountygov.com/Government/clay-county-tv-and-video-archive/Planning-Commission/) February 6, 2024, beginning at 43:14 and ending at 2:18:13. Below is a summary of the discussion and the vote for this agenda item.*

Dodie Selig, Chief Planner, presented a PowerPoint presentation regarding the public hearing to consider COMP-24-0003 and ZON-23-0029. (See Item 5 below and Attachment F).

- **COMP-24-0003:** Proposed text amendment to the Clay County Comprehensive Plan, to amend certain language related to airports under Goal 5 of the Transportation Element
- **ZON-23-0029:** Two parts:
  - Zoning text amendment to add regulations related to the use of aircraft and airports to Article III of the land development code.
  - Text amendment to create an Airport Zoning Commission and add mailing notice requirements specific to airport property owners to Article XII.

Following questions and discussions by the Commission and staff, Chairman Mary Bridgman opened the floor for the public hearing at 6:02 pm.

Joe Tierney, 1196 Crosswinds Avenue, Green Cove Springs, Florida addressed the Commission to express concerns regarding the requested changes.

Pam Tierney, 1196 Crosswinds Avenue, Green Cove Springs, Florida addressed the Commission to express concerns regarding the requested changes.

Deborah Carpenter, 175 B Old Jennings Road, Orange Park, Florida, addressed the Commission to express concerns regarding the requested changes.

Don Yoakley, 383 Oak Drive South, Fleming Island, Florida, addressed the Commission to express concerns regarding the requested changes.

Pat Lee, 319 Oak Drive South, Fleming Island, Florida, addressed the Commission to express concerns regarding the requested changes.

Stephanie and Larry Hill, 2688 Poinsettia Avenue, Middleburg, Florida, addressed the Commission to express concerns regarding the requested changes.

George Goodrich, 3776 County Road 315A, Green Cove Springs, Florida, addressed the Commission to express concerns regarding the requested changes.

Kent Williams, Blueberry Street, Middleburg, Florida, addressed the Commission to express concerns with the requested changes.

Bradley Coule, 4555 Tarragon Avenue, Middleburg, Florida, addressed the Commission to express concerns regarding the requested changes.

Nikki Celso, 2376 Norman Road, Middleburg, Florida, addressed the Commission to express concerns with the requested changes.

Adam Lamb, 3335 Tiki Lane, Green Cove Springs, Florida, addressed the Commission in opposition of the requested change.

Anthony Thompson, 2771 Forman Circle, Middleburg, Florida, addressed the Commission to express concerns regarding the requested changes.

On behalf of the City of Green Cove Springs, Brenna Durden, 245 Riverside Avenue, Jacksonville, Florida, addressed the Commission to express concerns regarding the requested changes, specifically regarding Reynolds Airport.

T.R. Hainline, 1301 RiverPlace Boulevard, Jacksonville, Florida, addressed the Commission to express concerns regarding the requested changes, specifically regarding Reynolds Airport.

Gary Vernon, 5370 Carter Spencer road, Middleburg, Florida, addressed the Commission to express concerns regarding the requested changes.

Mark Scruby, 1301 RiverPlace Boulevard, Jacksonville, Florida, addressed the Commission to express concerns regarding the requested changes.

Hearing no other comments, Chairman Mary Bridgman closed the public hearing at 6:47 pm.

There were comments, questions, and a lengthy discussion to address concerns by the Commission and those raised during the public hearing.

The Commission also requested more detailed information regarding the requested change.

Following all discussions, Commissioner Joe Anzalone made a motion for continuance of COMP-24-0003 until the Planning Commission meeting in May, seconded by Commissioner Bourré, which carried 7-0.

5. Public Hearing to consider ZON 23-0029 (Airport Code). (D. Selig)
  - A. A zoning text amendment to add regulations related to the use of aircraft and airports to Article III of the land development code.
  - B. A text amendment to create an Airport Zoning Commission and add mailing notice requirements specific to airport property owners to Article XII.

The presentation and discussion for item 5 were held during item 4.

Commissioner Joe Anzalone made a motion for a continuance of items 5, A and B until the May Planning Commission meeting, seconded by Commissioner Michael Bourré, which carried 7-0.

### **Presentations**

There were no presentations.

Courtney Grimm, County Attorney, reminded the Commission of the upcoming joint workshop with the BCC regarding Agricola on February 27, 2024, from 10:00 am to 12:00 pm.

### **Old Business/New Business**

1. Reorganization of Planning Commission

*Reorganization of the Planning Commission can be seen at [www.claycountygov.com/Government/clay-county-tv-and-video-archive/Planning-Commission/](http://www.claycountygov.com/Government/clay-county-tv-and-video-archive/Planning-Commission/) February 6, 2024, beginning at 2:19:53 and ending at 2:24:52. Below is a summary of the discussion and the vote for this agenda item.*

Chairman Mary Bridgman opened the floor to discuss the reorganization of the Planning Commission.

Following the discussion, Commissioner Bo Norton made a motion to reappoint Chairman Mary Bridgman and Vice-Chairman Pete Davis, seconded by Commissioner Joe Anzalone, which carried 7-0.

### **Public Comment**

Chairman Mary Bridgman opened the floor for public comment at 7:25 pm.

Hearing no other comments, Chairman Mary Bridgman closed public comment at 7:25 pm.

### **Adjournment**

Hearing no further business, Chairman Mary Bridgman adjourned the meeting at 7:25 pm.

Attest:

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Committee Chairman

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Recording Deputy Clerk

**Attachment**  
**“A”**  
**COMP-23-0016**  
**ZON-23-0028**



# PLANNING COMMISSION

COMP 23-0016

ZON 23-0028

Public Hearing

February 6, 2024

# APPLICATION INFORMATION

|                                 |   |
|---------------------------------|---|
| Applicants:                     | Carol Wilkinson<br>Connie Denise Livingston<br>Denise Wilkinson   |
| Request:                        | Small-scale land use amendment from (AG) Agriculture to (AR) Agricultural/Residential<br><br>Zoning map amendment from (AG) Agricultural to (AR) Agricultural/Residential |
| Planning Dist.<br>Comm. Dist. 5 | Green Cove Springs<br>Commissioner Burke  |
| BOCC Hearing                    | Feb 27, 2024 @ 5:00 pm  |

## BACKGROUND

Single parcel 10 acre in size designated AG on FLUM and zoned AG

The parcel was created in 1996 by splitting a 20-acre parcel into two (2) ten (10) acre parcels.

The subject parcel is the resulting southern 10 acres from that split. The northern 10-acre parcel is developed with a single-family residence while the subject parcel is undeveloped.

The parcel is accessed via a recorded easement from C.R. 209S.

The parcel, at 10 acres in size, does not meet the density requirement for the Agriculture future land use and the Agricultural zoning district.

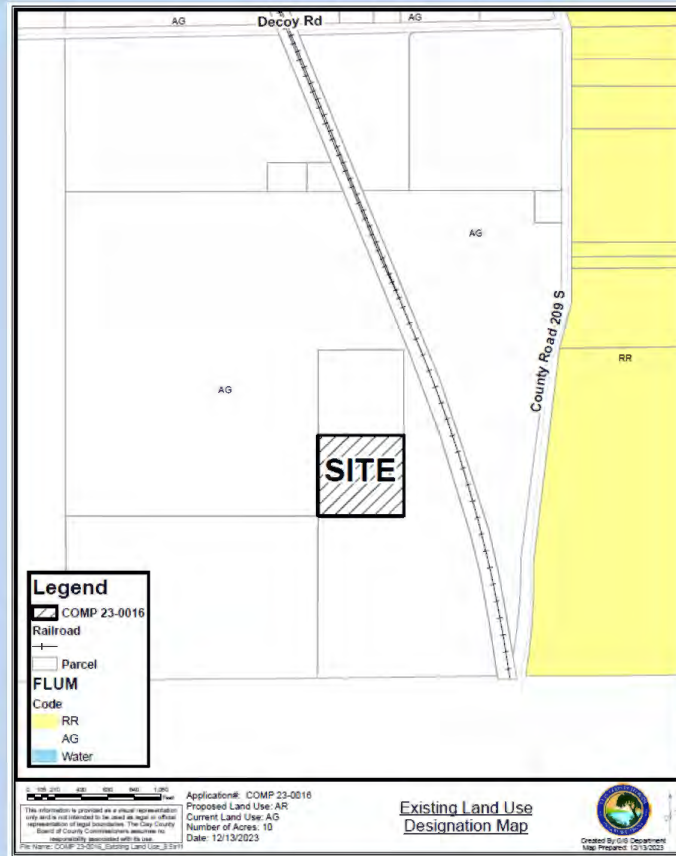
The parcel does not qualify as a Lot of Record as defined in the adopted County Comprehensive Plan.

Therefore, the parcel is unable to obtain a permit for residential development.

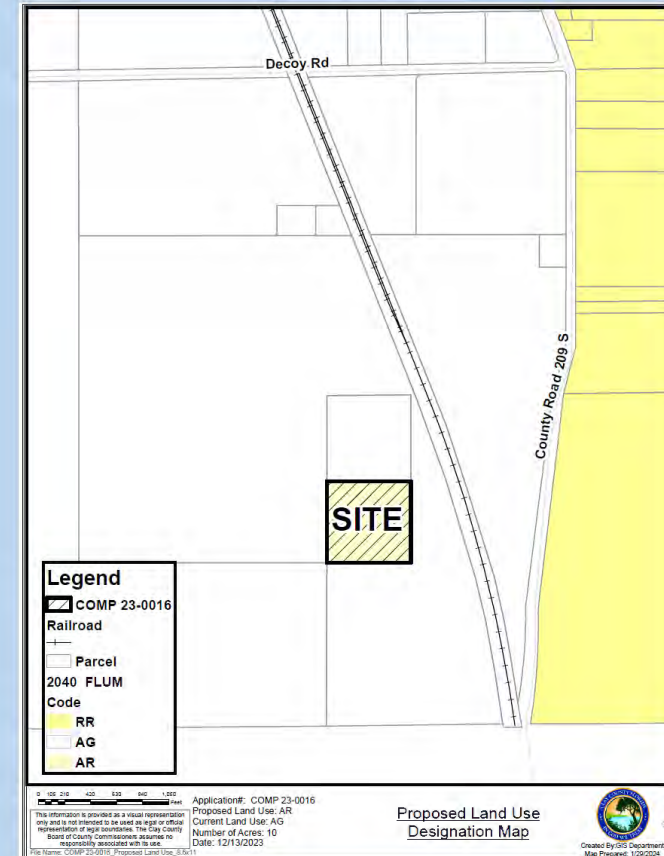
The parcel is surrounded by properties that are zoned Agricultural with Agriculture future land use.

# LAND USE

## Existing

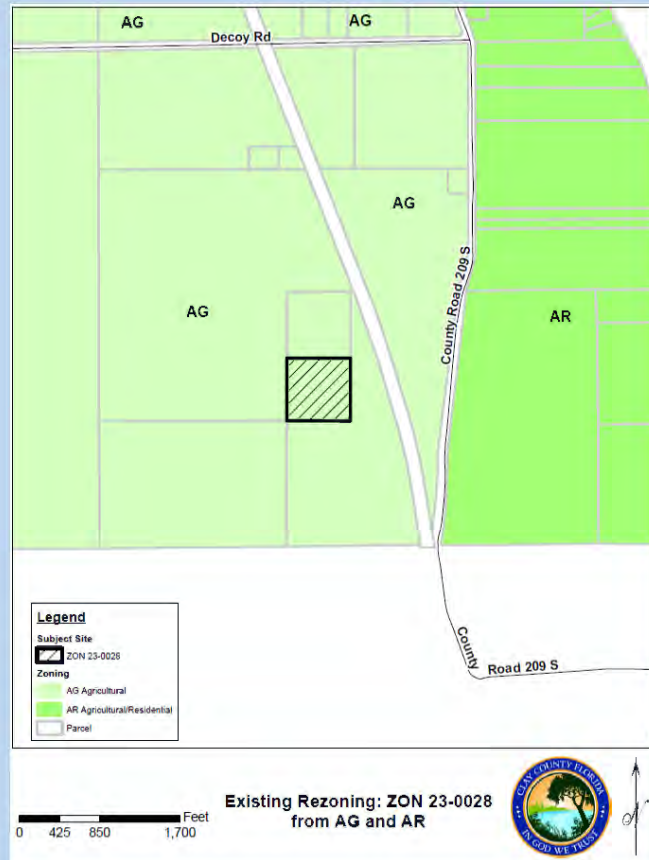


## Proposed

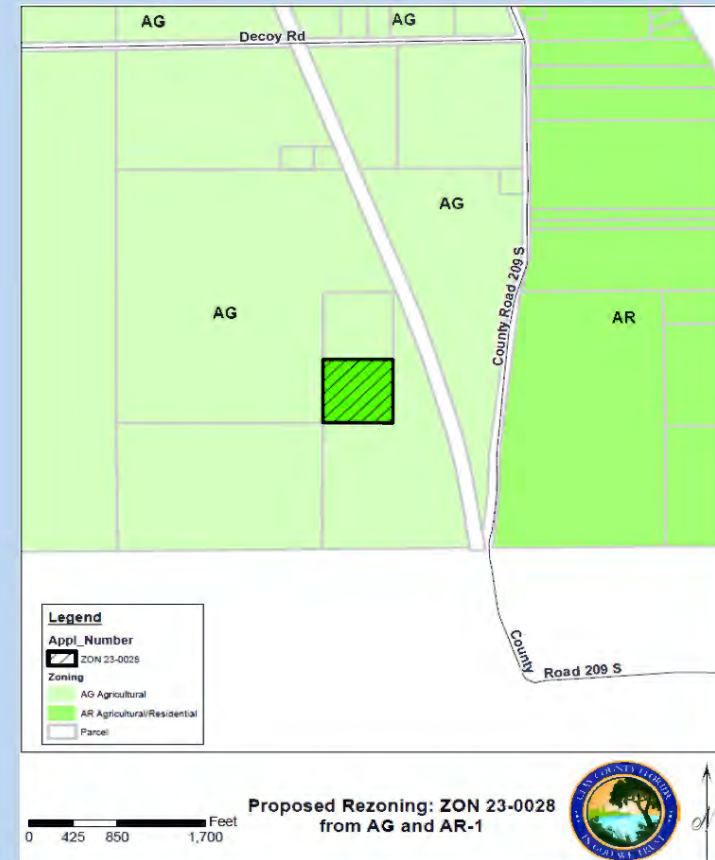


# ZONING

## Existing



## Proposed



# Analysis

Primary difference between the existing AG land use and the requested AR land use is the maximum allowable density.

The uses allowed in the requested AR zoning district are similar to the uses permitted in the existing AG zoning district.

Both AG and AR districts allow single-family residential dwelling including mobile homes and both allow for agricultural uses. The AR district only allows for non-commercial keeping and raising of farm animals.

There are two (2) Conditional Uses that are permitted in AR district which are not permitted in AG district; these are Plant nurseries and Riding academies and riding stables.

Otherwise all the allowable Conditional Uses in AR are also permitted in the AG district.

Staff believes the permitted uses allowed in the Agricultural/Residential zoning district are compatible with the permitted uses in the surrounding Agricultural zoning district

# FINDINGS and RECOMMENDATION

The applicant is requesting a change in land use from AG to AR and a change in zoning from AG to AR for 10 acres.

Staff has reviewed the application and determined that the request is compatible with the surrounding area. The requested AR zoning is allowed in the proposed AR future land use designation.

Staff recommend approval of COMP 23-0016 to amend FLUM of 10 acres from AG to AR

Staff recommends approval of ZON 23-0028 to amend zoning map for 10 acres from AG to AR contingent on approval of the companion land use change COMP 23-0016.

# QUESTIONS

**Attachment**  
**“B”**  
**PUD-23-0016**



# PLANNING COMMISSION

PUD 23-0016

Public Hearing

February 6, 2024

# APPLICATION INFORMATION

Applicants: BFC Property Holdings, Inc.

Agent: Rogers Towers, P.A.

Request: Zoning map amendment of 1.36 acres from PCD (Planned Commercial Development and BA (Neighborhood Business) to (PCD) Planned Commercial Development

Planning Dist. Doctors Lake /Ridgewood

Comm. Dist. 1 Commissioner Cella

BOCC Hearing February 27, 2024 @ 5:00 pm

## BACKGROUND

The parcel is located in the southwest quadrant of the intersection of C.R. 220 and Plantation Drive.

Land use Commercial

The subject property is bordered to the south by a parcel with PS-1 zoning and to the west by a parcel zoned BA.

The northern 1 acre of the parcel was rezoned to PCD in 2017 (Ord. 2017-13)

The original PCD permitted uses allowed in the BA zoning district as well as a carwash.

The proposed rezoning will expand the existing PCD boundary to include 0.36(+/-) acres that are presently zoned BA and adopt a new Site Plan.

# AERIAL

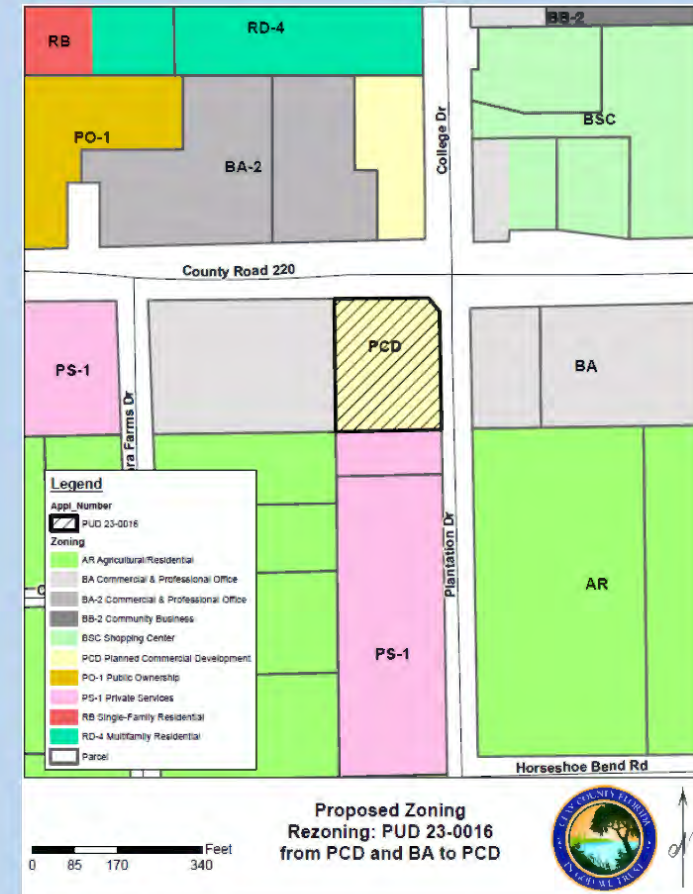


# ZONING

## Existing



## Proposed



# PCD Summary

Development is limited to self-serve tunnel car wash and up to nineteen (19) self-serve vacuuming stations, plus one (1) ADA vacuum station.

The vacuum stations will be served by only 2 motorized vacuums according to the Written Statement.

The single building will total approximately 5,200 sf with a maximum height of 35 ft.

Hours of operation will be limited from 8:00 a.m. to 8:00 p.m.

## Perimeter Buffers

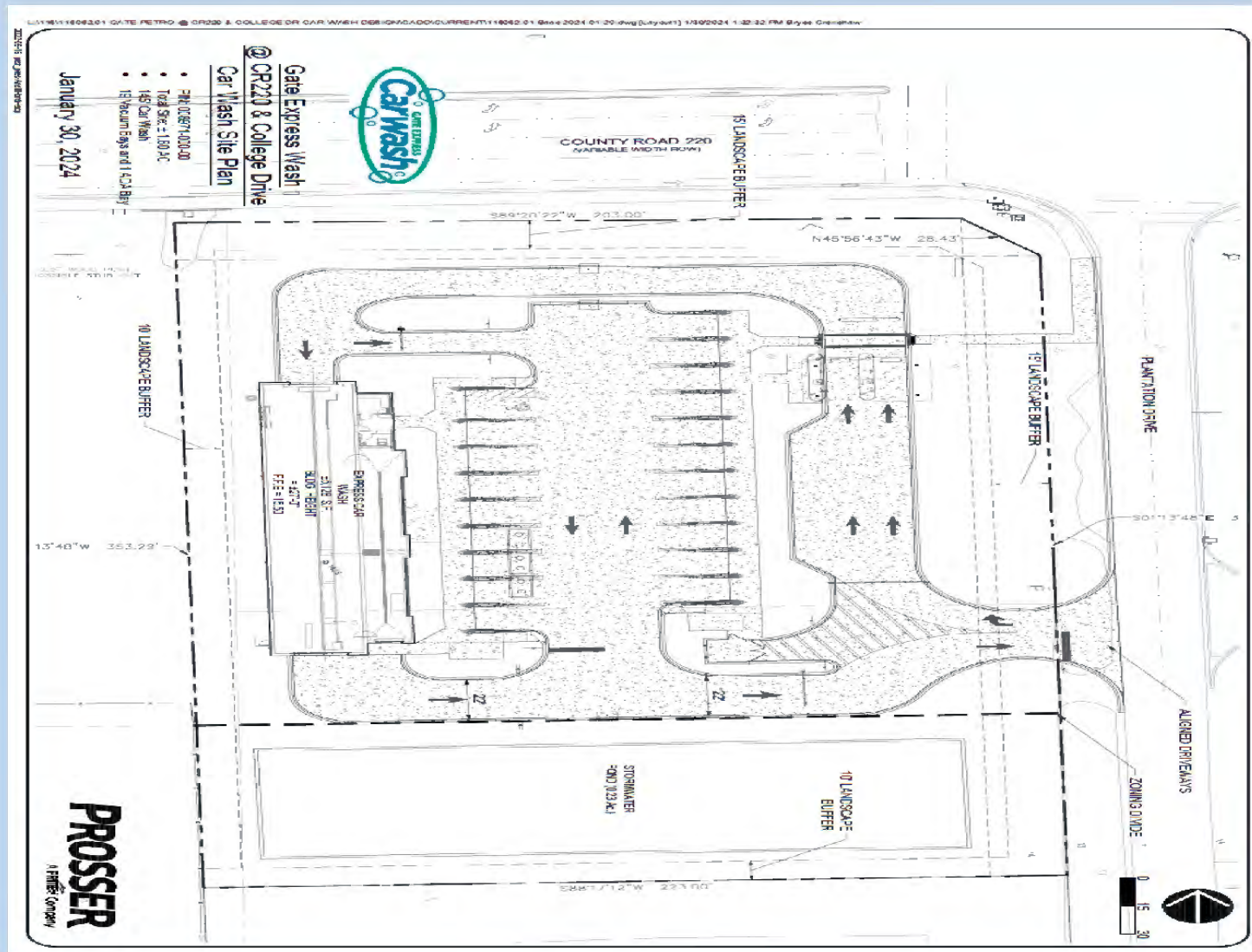
North: approx. fifteen (15) feet.

South: approx. ten (10) feet.

East: approx. fifteen (15) feet.

West: approx. ten (10) feet.

# SITE PLAN



# FINDINGS and RECOMMENDATION

The applicant is requesting a zoning change for 1.36 acres from PCD and BA to PCD

The proposed PCD zoning is consistent with the existing Commercial future land use designation of the parcel.

Staff has reviewed the application and determined that the request is compatible with the surrounding area.

Staff recommends approval of PCD 023-0016 to amend zoning map for 1.36 acres PCD (Planned Commercial Development).

# QUESTIONS

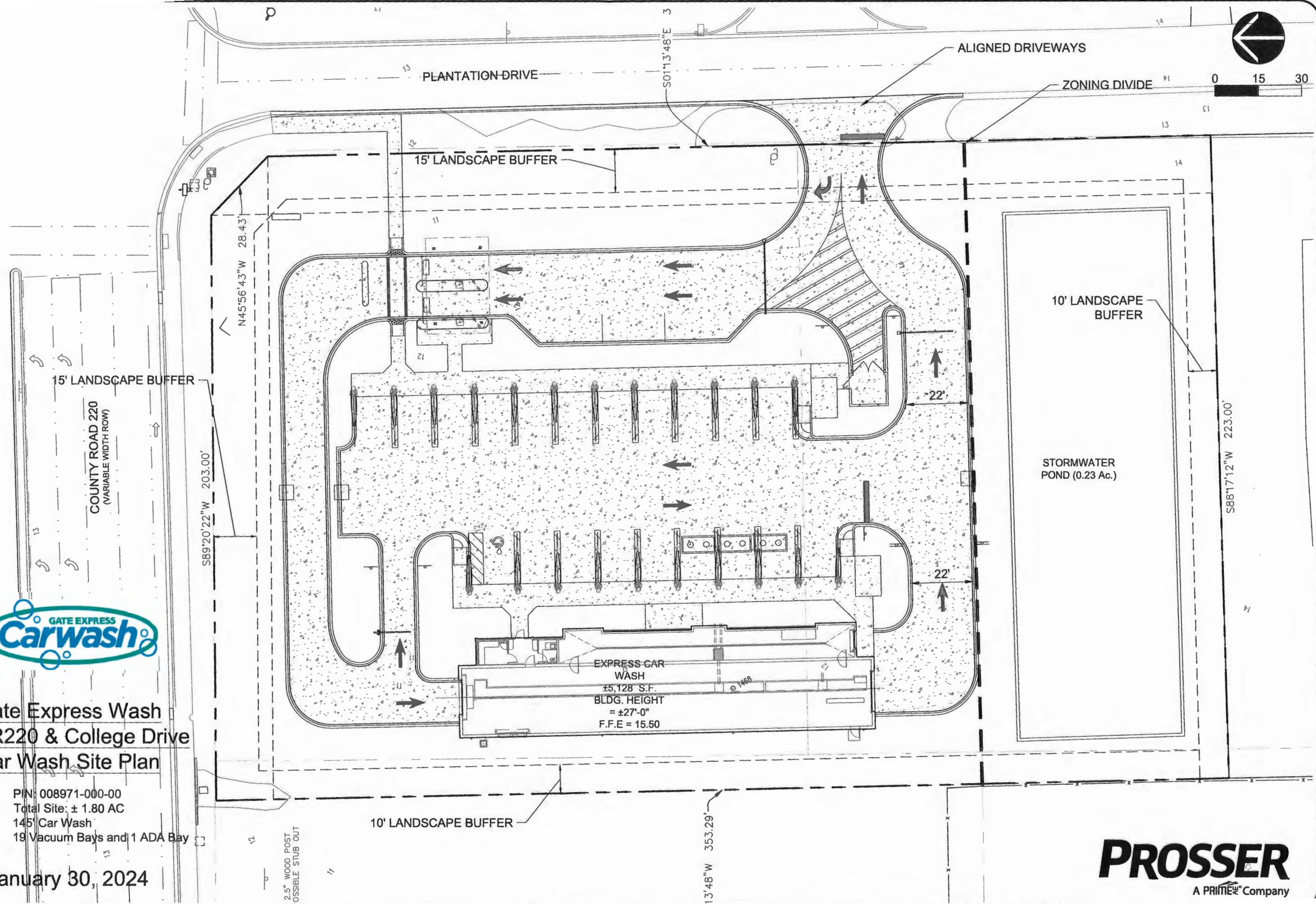
# 350' Notice Area



**Attachment**  
**“C”**  
**Carwash Site Plan**

- PIN: 008971-000-00
- Total Site:  $\pm$  1.80 AC
- 145' Car Wash
- 19 Vacuum Bays and 1 ADA Bay

January 30, 2024



**PROSSER**  
A PRIME<sup>®</sup> Company

**Attachment**  
**“D”**  
**Letters of Opposition**

## Laura Hanson

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**From:** Simmons, Rickie <Rickie.Simmons@kindred.com>  
**Sent:** Tuesday, February 6, 2024 1:11 PM  
**To:** Clay Zoning  
**Subject:** Rezoning Application PUD23-0016  
  
**Categories:** CHIEF BROWN, Laura

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

I am writing to express my strong opposition to the rezoning at the intersection of County Road 220 and Plantation Drive. I believe this will be a detriment to the area, causing major traffic and safety concerns. The increase in traffic congestion during morning and afternoon rush hours will negatively impact the safety of the children in the area since students walk to and from school. Nearly all residents of the community directly behind this area are opposed to this development as one of the two entrances to the neighborhood will be the only entrance to the business intended for this parcel and will cause traffic issues during critical times. Traffic congestion in this area has continued to increase year after year and until something can be done to help alleviate some of the current traffic congestion, adding a high traffic business to the area would certainly be a safety hazard.

I urge you to disapprove the proposed rezoning. I am confident that my opinions are shared by many who are not able to attend the meeting or write letters/emails.

Thank you,

***Rickie Simmons***  
**603 Tara Farms Drive**  
**Middleburg, FL 32068**  
**904-962-8408**

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## Laura Hanson

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**From:** Jessica Pierro <pierromartininc@gmail.com>  
**Sent:** Tuesday, February 6, 2024 12:24 PM  
**To:** Clay Zoning  
**Cc:** Mike Cella  
**Subject:** Zoning meeting

**Categories:** Laura

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the zoning commission and board of commissioners:

I unfortunately cannot make the zoning meeting tonight. Here is my statement. Please zoning commission and board commissioner's (Mike Cella) we have an abundance of carwashes in this town. The McDonald's already at the corner of plantation and 220 uses plantation drive as a drive through lane. The residents living in Tara Farms are being pulled out in front of and having trouble getting to their homes because of McDonald's drive through. We often times have to drive into oncoming traffic to avoid long lines to get to our homes. A car wash is only going to add to the issues of traffic on this corner. We have one single lane leaving our neighborhood and often times sit in multiple light cycles to leave our neighborhood because of McDonald's traffic already. Please consider also the property is located inside a school zone for our children to safely commuting to Drs Inlet elementary. Seems like our children could easily be prayed upon. I see the car wash on Blanding often times has homeless people using it to shower, wash clothes and spend the night. Consider your children and grandchildren children walking past this daily to school. It's entirely too close to a school to be considered safe.

The neighbors of Tara farms all have nice above average homes and properties and we don't want to deal with the hassles of more traffic. We kindly ask you to find another place for this car wash. It's not like you can't drive 3 miles down the road and find a car wash in every direction. You didn't make the best decision on the coffee shop while you're pulling out in 5 lanes of traffic and it's inside a turning lane. Slow down on commercial development and conserve our county, we plead to you. This corner is becoming a traffic nightmare. Using plantation drive for more traffic for commercial business doesn't make sense for the county or its residents. The infrastructure will need drastic changes, clay county is becoming a parking lot on the roadways. This should have serious considerations and concerns for water conservation as you preach to us about watering our gardens, yards and farms your allowing a car wash on every corner in this county. Enough is enough please put a stop to this as our properties have animals and livestock and it's stress out animals with noises at all hours of the day or night from a 24 hour car wash. Everyone deserves to rest in peace including our animals. Many of these horses are highly trained and quite costly. We bought these larger property to be away from the hustle and bustle. Please consider voting NO..

Please respectfully consider putting a stop to car washes. Leaving this neighborhood if you drive 3/4 miles you have NUMEROUS opportunities to get your car cleaned in this county elsewhere. Car washes are popping up everywhere and some within blocks of each other. Don't you consider the abusive water consumption with all these car washes, drainage & run off? Let alone we are preached about to conserve electricity, these car washes in noway support conservation. The citizens of the county are often making jokes about the number of car washes within a small radius of Orange park and Flemingburg.

I am happy to answer any questions or concerns you may have by my statement. I look forward to hearing and hoping our county commissioners go to bat for our peaceful quiet community. We cause no problems to the county. Please don't cause us problems by more decisions like this. Our crime rates are below average and we are hoping you will consider the harm this will do to our safety and our children commuting past this everyday.

Respectfully requested

Randy E. Martin  
2549 Horseshoe Bend Rd  
Middleburg, FL 32068  
Tara Farms resident since 2003

**Laura Hanson**

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**From:** King, Stefani <Stefani\_King@csx.com>  
**Sent:** Tuesday, February 6, 2024 11:52 AM  
**To:** Clay Zoning  
**Subject:** Car Wash on Plantation Drive Middleburg

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

I am writing this in hopes of bringing awareness to how poor of an idea it is to have a car wash built on the corner of College Drive and Country Road 220 with the planned exit being on Plantation drive. We have a community that sits behind this intersection that is already getting too much traffic from the McDonalds right across the street. Adding traffic of an additional car wash will be a nightmare for our community. At peak times, we often have to already wait in an overflow McDonalds line in order to get into or out of our neighborhood (which is only two lanes). The parcel for the planned carwash is small and a 20 car carwash with an exit only on Plantation Drive is a terrible idea that will negatively affect all residents of Tara Farms.

Please strongly consider not approving this zoning.

**Stefani King**  
**T&E Payroll Manager**  
**CSX Transportation**  
☎ (904) 279-6035 | ✉ Stefani\_King@csx.com



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**Laura Hanson**

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**From:** Tammi Tyre <tammityrefip@comcast.net>  
**Sent:** Tuesday, February 6, 2024 11:23 AM  
**To:** Clay Zoning  
**Subject:** Car wash entrance and exit

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning

Our community has one entrance and exit where we can turn right or left on Plantation Drive and already have a traffic issue with MCDonalds

It is my understanding you want to allow a car wash to only have one entrance/ exit on this street as well

Do not think this has been thought thru very well within the Clay County Planning and Zoning

Please look into this matter for us

Thank you

Tammi Tyre  
Concerned resident  
675 O'Hara Road  
Middleburg Fl 32068  
9046089576

Sent from my iPhone

## Laura Hanson

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**From:** B Cool Air Conditioning & Heat Inc <bcoolair@comcast.net>  
**Sent:** Tuesday, February 6, 2024 3:39 PM  
**To:** Clay Zoning  
**Cc:** Mike Cella  
**Subject:** CR220 & Plantation Dr

**Importance:** High

**Categories:** Laura

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attention Zoning Commission and Board of Commissioners:

As a resident of Tara Farms I would like to voice my very strong opposition to the rezoning of the property located at County Road 220 and Plantation Drive. I have also heard there will be a car wash going into this location if approved which would be detrimental to the residents of Tara Farms as well as the surrounding area. First of all, this light is the only **LEGAL** left hand turn us residents have out of the neighborhood. The light already gets backed up due to the traffic coming in and out of the McDonalds. As a resident I have sat through at minimum 3 light cycles waiting to go either straight or left from the neighborhood. Customers visiting the McDonalds will frequently block the road waiting to turn into the the drive thru, causing us residents to either wait or drive into the oncoming lane of traffic to get to our homes. Customers leaving this McDonalds will frequently run the stop sign to turn onto the road as well. Both of my children have had incidences while riding their bikes or walking to school where they have almost been hit by these cars because we have **NO SIDEWALKS**. I have been on many runs and have experienced the same thing. The McDonalds causes us enough headaches, why add to it by allowing another car wash or business to go into this area? We can not **SAFELY** handle the traffic as it is, now you are talking about adding to the problem.

The residents of Tara Farms will come together and fight this rezoning. I urge you to speak to us all who live in here, who deal with this traffic nightmare regularly. I urge you to come park your vehicle and watch the traffic concerns we all have with the McDonalds. We have more younger families moving into our neighborhood with kids who will be attending Doctors Inlet Elementary. Because of our proximity to the school they do not have buses to get them there safely. We also don't have sidewalks for them to use throughout the neighborhood to get them there safely. For those parents who are not fortunate to drive their kids daily they are left with no other option but walking or biking. Our neighborhood is also full of many homes with horses and other livestock. We purchased our homes and lots for this freedom and luxury.

As a local small business owner here in Clay County adding another car wash to the area does not make any sense. We are being inundated with car washes and self storage buildings on every corner.

Due to our sons sports schedule we will not be able to attend this meeting in person tonight so I hope you will take this email into consideration. Please feel free to call me directly with any questions.

## Laura Hanson

---

**From:** Jenn COMCAST <jbeaudry@comcast.net>  
**Sent:** Tuesday, February 6, 2024 3:35 PM  
**To:** Clay Zoning  
**Cc:** Mike Cella  
**Subject:** CR 220 & Plantation Drive

**Categories:** Laura

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attention zoning commission and board of commissioners:

As a resident of Tara Farms I would like to voice my very strong opposition to the rezoning of the property located at County Road 220 and Plantation Drive. I have also heard there will be a car wash going into this location if approved which would be detrimental to the residents of Tara Farms as well as the surrounding area. First of all, this light is the only **LEGAL** left hand turn us residents have out of the neighborhood. The light already gets backed up due to the traffic coming in and out of the McDonalds. As a resident I have sat through at minimum 3 light cycles waiting to go either straight or left from the neighborhood. Customers visiting the McDonalds will frequently block the road waiting to turn into the the drive thru, causing us residents to either wait or drive into the oncoming lane of traffic to get to our homes. Customers leaving this McDonalds will frequently run the stop sign to turn onto the road as well. Both of my children have had incidences while riding their bikes or walking to school where they have almost been hit by these cars because we have **NO SIDEWALKS**. I have been on many runs and have experienced the same thing. The McDonalds causes us enough headaches, why add to it by allowing another car wash or business to go into this area? We can not **SAFELY** handle the traffic as it is, now you are talking about adding to the problem.

The residents of Tara Farms will come together and fight this rezoning. I urge you to speak to us all who live in here, who deal with this traffic nightmare regularly. I urge you to come park your vehicle and watch the traffic concerns we all have with the McDonalds. We have more younger families moving into our neighborhood with kids who will be attending Doctors Inlet Elementary. Because of our proximity to the school they do not have buses to get them there safely. We also don't have sidewalks for them to use throughout the neighborhood to get them there safely. For those parents who are not fortunate to drive their kids daily they are left with no other option but walking or biking. Our neighborhood is also full of many homes with horses and other livestock. We purchased our homes and lots for this freedom and luxury.

As a local small business owner here in Clay County adding another car wash to the area does not make any sense. We are being inundated with car washes and self storage buildings on every corner.

Due to our sons sports schedule we will not be able to attend this meeting in person tonight so I hope you will take this email into consideration. Please feel free to call me directly with any questions.

Thank you in advance,  
Jennifer & Matthew Beaudry

2556 Horseshoe Bend Road  
Middleburg, FL 32068  
904-600-7569

## Laura Hanson

---

**From:** CARLA MELLOTT <carlam561@bellsouth.net>  
**Sent:** Tuesday, February 6, 2024 2:06 PM  
**To:** Clay Zoning  
**Subject:** Zoning proposal

**Categories:** Laura

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone  
To Zoning Commission :

In regards to zoning proposal for property at corner of 220 & Plantation Drive:  
Please vote 'no' to the zoning request for this property. As a resident of Tara Farms, I frequently have to wait to get to my home due to traffic back up at McDonald's drive thru. If another business on that corner has entry from Plantation Drive, the problem will be magnified. There are already 2 car washes on Blanding less than 5 miles from this intersection. Another car wash is not needed for this area. This intersection is also a crossing for Drs. Inlet Elementary School. I can hear noise from 220 at all hours & adding another 24 hr. Business will increase that noise.

Please vote no !

Thank you

Carla Mellott

2538 Horseshoe Bend

**Attachment**  
**“E”**  
**ZON-24-0002**



# PLANNING COMMISSION

ZON-24-0002

Public Hearing

February 6, 2024

## APPLICATION INFORMATION

County initiated application to update the fire protection standards referenced in the County's Land Development Code Article VIII – Design and Improvement Standards

BCC Hearing                      February 13, 2024 @ 5:00 pm

## PROPOSED AMENDMENT

Section 8-20, Fire Protection, of Article VIII of the Clay County Land Development Code, is hereby amended as follows:

- Fire protection shall be consistent with the requirements of: 1) the current adopted edition of the Florida Fire Prevention Code per Chapter 633, Florida Statutes; and 2) the NFPA 1141 Standard for Fire Protection Infrastructure for Land Development in Wildland, Rural, and Suburban Areas (2017 ed.) except for Subsections 8.1.2 and 8.3. ~~the National Fire Protection Association Fire Protection Handbook, 18<sup>th</sup> Edition or the latest edition.~~

## RECOMMENDATION

Staff recommends approval of ZON-24-0002.

**Attachment**  
**“F”**  
**COMP-24-0003**  
**ZON-23-0029**

# Airport Related Amendments

COMP-24-0003

Comprehensive Plan - Transportation Element

ZON-23-0029

Article III - Aircraft and Airport Regulations

Article XII – Mailing Notice Requirements

Board of County Commissioners

February 13 and 27, 2024

and

March ~~(12)~~ 26, 2024



# Proposed Amendments

The proposed amendments were initiated in response to changes in Chapter 333 of the Florida Statutes which relate to public-use aircraft landing facilities.

Though not required by Florida Statutes, the proposed amendment was expanded based on public comment to include regulation of private-use aircraft landing facilities on a voluntary basis.

# Comp Plan Amendment

This amendment pertains to certain language related to airports under Goal 5 of the Transportation Element.

## TRA GOAL 5

Improvements to and operation of airport facilities shall be carried out in a manner which minimizes the impact on the environment and minimizes ~~the~~ potential conflicts between airport facilities and the area surrounding those facilities.

## TRA OBJ 5.1

No obstructions to aircraft operations shall intersect any public or private airport facility's clear zones or the approach, transition, horizontal, and conical surfaces, with the exception of pre-existing private-use aircraft landing facilities.

## TRA POLICY 5.1.1

The County will collaborate with Federal Aviation Administration and other appropriate agencies to manage residential densities and ~~develop construction~~ create development standards for safety within public airport landing and surface areas, with the exception of pre-existing private-use aircraft landing facilities.

# Zoning Text Amendment – Art. III

Part I – General Regulations

Part II – Conditional Use Approval and Permitting

Part III – Public-Use Airports, Landing Strips and Heliports

Part IV – Private-Use Airports, Landing Strips and Heliports

Part V – Helistops

Applies to aircraft landing facilities operating within unincorporated Clay County over which the County has jurisdiction.

Creates an Airport Zoning Commission which would consist of the members of the Planning Commission plus 2 representatives from 2 existing airports in Clay County to be appointed by the Board.

# Part I – General Regulations

## Public-use aircraft facilities:

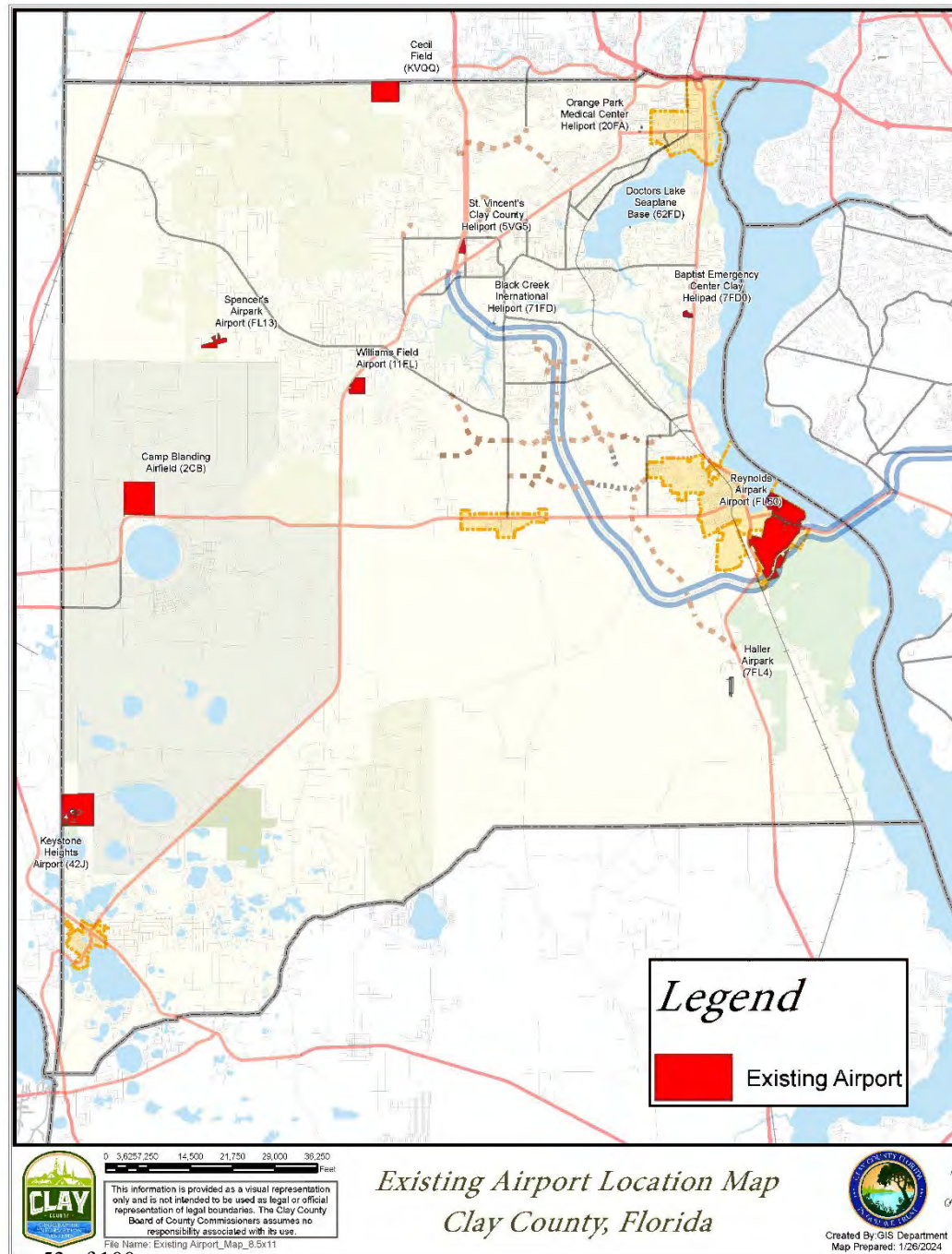
- Keystone Heights Airport
- Cecil Airport

## Private-use aircraft facilities:

- Camp Blanding Airfield (2CB)
- Reynolds Airpark (FL60)
- Haller Airpark (7FL4)
- Spencer Airpark (FL13)
- Williams Field Airport (11FL)
- Doctors Lake Seaplane Base (62FD)

## Helistop facilities:

- Baptist Emergency Center Clay Helipad (7FD0)
- Blackcreek International Heliport (71FD)
- Orange Park Medical Center Heliport (20FA)
- St. Vincent's Clay County Heliport (5VG5)



# Part II – Conditional Use Approval and Permitting

Approval of a Conditional Use by the Board of County Commissioners is required for the following:

- a new aircraft landing facility
- any modification to an existing aircraft landing facility

Once an application for the Conditional Use permit is submitted it is reviewed by the Development Review Committee which will provide comments to the Airport Zoning Commission (AZC). The AZC will in turn make a recommendation to the Board which will make the final determination.

## Part II – Pre-Existing Aircraft Landing Facilities

(1) An aircraft landing facility existing as of the date of adoption of this ordinance shall be considered a legally non-conforming conditional use and shall not be required to obtain approval as a Conditional Use by the Board of County Commissioners in order to continue to operate. A legally non-conforming use may continue, but said use may not be expanded or enlarged without approval. Should a legally non-conforming aircraft landing facility wish to expand or enlarge the use it would need to obtain approval as a Conditional Use by the Board of County Commissioners as outlined in this Section.

(2) A pre-existing private-use aircraft landing facility shall be governed by the provisions of Part IV and/or Part V of this section on a voluntary basis. The regulations of Part IV and/or Part V shall only apply to those pre-existing private-use facilities which submit a current airport layout plan to the Clay County Planning and Zoning Division within eighteen (18) months of the date of adoption of this ordinance. The airport layout plan shall include the elements listed in sub-section (c)(6) below.

(3) Those pre-existing private-use aircraft landing facilities which voluntarily comply with (2) above will be exempt from the requirement to own all lands lying under each imaginary surface zone applicable to that aircraft landing facility.

## Part III – Public-Use Airports, Landing Strips and Heliports

## Part IV – Private-Use Airports, Landing Strips and Heliports

## Part V – Helistops

- Zoning Districts for the facility type
  - Helistops as accessory use to a hospital are permitted wherever the hospital use is
  - No aircraft landing facility permitted within 2,000 ft. of a wild animal sanctuary
- Land Area and Site Development Standards
  - Setbacks
- Use Restrictions
  - 300 foot setback from runway centerline for listed uses
- Location of Aircraft Repair

## Zoning Text Amendment – Art. XII

- This amendment provides a description of the Airport Zoning Commission created under the proposed Art. III, Sec. 3-49.
- In addition, the amendment provides a requirement that any property within 1,400 feet of an existing airport that is the subject of an application for a change of the future land use or zoning designation will be required to provide notice to the property owner(s) of said airport.

# Recommendations

## COMP-24-0003

Staff recommends approval of COMP-24-0003

## ZON-23-0029

Staff recommends approval of both ordinances attached to ZON-23-0029



Agenda Item  
PLANNING COMMISSION

Clay County Administration Building  
Tuesday, March 5 5:00 PM

TO: Planning Commission

DATE: 1/5/2024

FROM: Beth Carson, Deputy  
Director, Planning and Zoning

SUBJECT: This application is a Small-Scale Comprehensive Plan Amendment to change 7.71 acres from Rural Residential (RR) to Branan Field Master Planned Community (BF MPC)

AGENDA ITEM TYPE:

---

Planning Requirements:  
Public Hearing Required (Yes\No):  
**Yes**

Hearing Type: First Public Hearing

Initiated By: Applicant

Brian Small, agent  
David Padgett, owner  
Dwayne Padgett, owner  
Shirley Padgett Portch, owner  
Sandy Padgett Smith, owner

ATTACHMENTS:

| Description              | Type       | Upload Date | File Name                       |
|--------------------------|------------|-------------|---------------------------------|
| ▣ Ordinance_COMP_24-0001 | Ordinance  | 2/29/2024   | Ordinance_COMP_24-0001.ADA.pdf  |
| ▣ Staff Memo 24-0001     | Cover Memo | 3/4/2024    | Staff_Memo_Comp_24-0001_ada.pdf |

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2040 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2018-31, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF CERTAIN REAL PROPERTY (TAX PARCEL IDENTIFICATION # 25-04-24-005603-000-00), TOTALING APPROXIMATELY 7.71 ACRES, FROM RR (RURAL RESIDENTIAL) TO BF MPC (BRANAN FIELD MASTER PLANNED COMMUNITY); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on June 26, 2018, the Board of County Commissioners of Clay County, Florida (the “Board”), adopted Ordinance No. 2018-31, which adopted the Clay County 2040 Comprehensive Plan (the “Plan”); and,

WHEREAS, Section 163.3184, Florida Statutes, outlines the process for the adoption of comprehensive plans or amendments thereto and provides that Section 163.3187, Florida Statutes, may be followed for plan amendments qualifying as small-scale development; and,

WHEREAS, Application COMP 24-0001, submitted by Bird Dog, LLC, requests an amendment to the Plan; and,

WHEREAS, the Board desires to amend the Plan as provided for below.

Be It Ordained by the Board of County Commissioners of Clay County:

**Section 1.** Clay County Ordinance No. 2018-31, as amended, is amended as provided in Section 2 hereof.

**Section 2.** The adopted Future Land Use Map of the Plan is hereby amended such that the Future Land Use designation for one parcel of land (tax parcel identification # 25-04-24-005603-000-00), totaling approximately 7.71 acres, described in Exhibit “A-1”, and depicted in Exhibit “A-2” is hereby changed from RR (Rural Residential) to BF MPC (Branan Field Master Planned Community).

**Section 3.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 4.** The effective date of this Plan amendment shall be 31 days after adoption unless the amendment is challenged pursuant to 163.3187, Florida Statutes. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Commerce or the Administration Commission finding the amendment in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

**DULY ADOPTED** by the Board of County Commissioners of Clay County, Florida, this  
\_\_\_\_\_ day of March, 2024.

BOARD OF COUNTY COMMISSIONERS  
OF CLAY COUNTY, FLORIDA

By: \_\_\_\_\_  
Jim Renninger, Its Chairman

ATTEST:

By: \_\_\_\_\_  
Tara S. Green,  
Clay County Clerk of Court and Comptroller  
Ex Officio Clerk to the Board

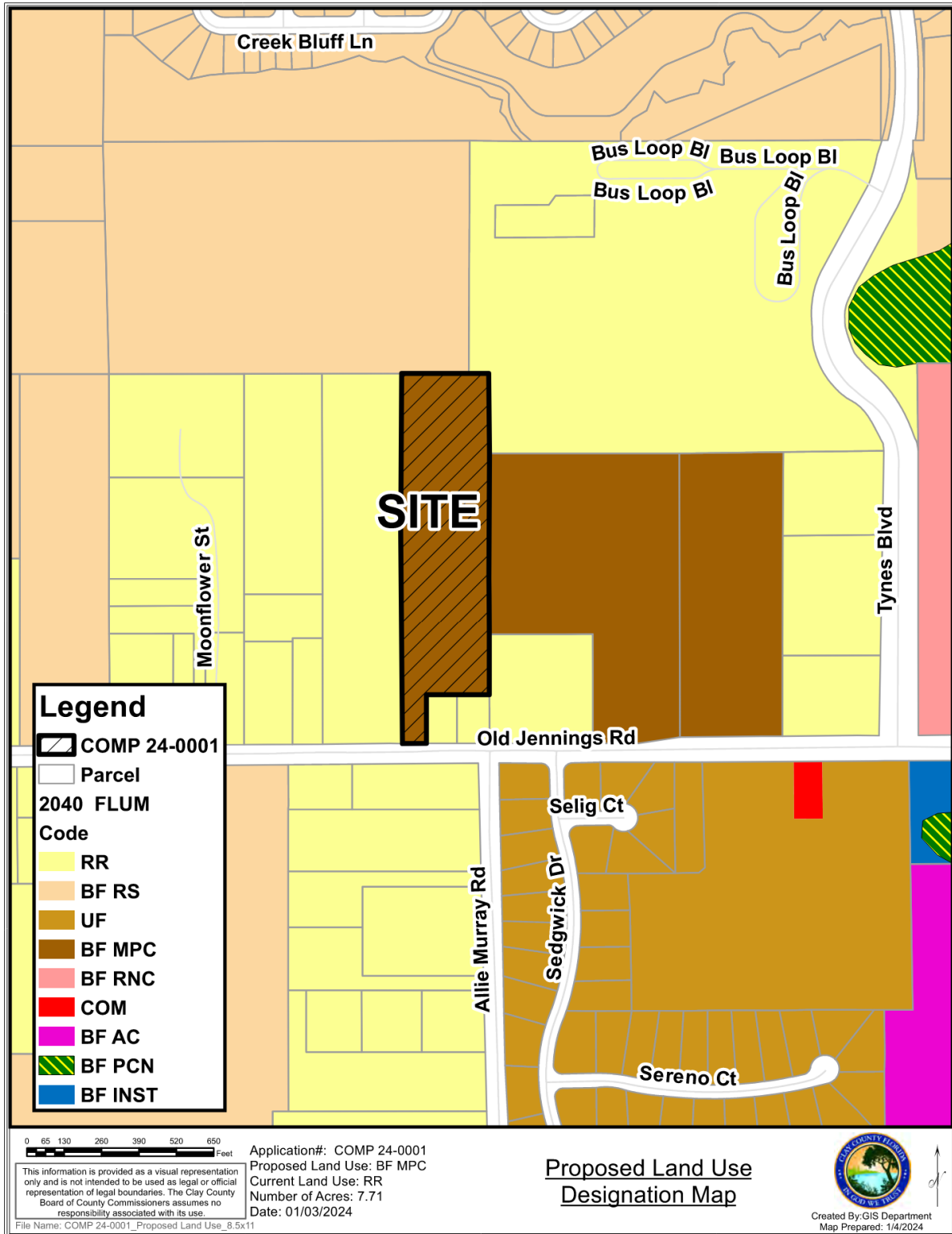
## Exhibit "A-1"

A PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 24 EAST, CLAY COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE SOUTH 89°31'14" WEST, ALONG THE SOUTH LINE OF SAID SECTION 25, A DISTANCE OF 229.70 FEET; THENCE NORTH 00°31'13" EAST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 40.01 FEET TO THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 220-A (A 80 FOOT RIGHT OF WAY); THENCE SOUTH 89°31'14" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 60.00 FEET TO THE EAST LINE OF LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3857, PAGE 709 OF THE PUBLIC RECORDS OF CLAY COUNTY; THENCE NORTH 00°30'24" EAST, DEPARTING SAID NORTH RIGHT OF WAY LINE AND ALONG SAID EAST LINE, A DISTANCE OF 1291.49 FEET TO THE SOUTH LINE OF LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4719, PAGE 1851 OF SAID PUBLIC RECORDS; THENCE NORTH 89°35'59" EAST, DEPARTING SAID EAST LINE AND ALONG SAID SOUTH LINE AND ITS EASTERLY PROLONGATION THEREOF, A DISTANCE OF 288.67 FEET TO THE WEST LINE OF LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1422, PAGE 1792 OF SAID PUBLIC RECORDS; THENCE SOUTH 00°25'15" WEST, ALONG SAID WEST LINE, A DISTANCE OF 332.81 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4626, PAGE 1318 OF SAID PUBLIC RECORDS; THENCE SOUTH 00°30'55" WEST, ALONG THE WEST LINE OF LAST SAID LANDS, A DISTANCE OF 578.40 FEET; THENCE SOUTH 00°31'13" WEST, A DISTANCE OF 210.97 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4627, PAGE 61 OF SAID PUBLIC RECORDS; THENCE SOUTH 89°31'14" WEST, ALONG THE NORTH LINE OF LAST SAID LANDS AND ALONG THE NORTH LINE OF LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3540, PAGE 1019 OF SAID PUBLIC RECORDS, A DISTANCE OF 229.00 FEET TO THE WEST LINE OF SAID OFFICIAL RECORDS BOOK 3540, PAGE 1019; THENCE SOUTH 00°31'13" WEST, ALONG SAID WEST LINE, A DISTANCE OF 168.90 FEET TO SAID NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 220-A AND THE POINT OF BEGINNING.

CONTAINING: 7.7± ACRES, MORE OR LESS.

Exhibit "A-2"





**Staff Report and Recommendations for COMP 24-0001**

**Owner / Applicant Information (as provided in the application):**

(Copies of the submitted application are available at the Clay County Administration Office, 3<sup>rd</sup> floor, located at 477 Houston Street Green Cove Springs, FL 32043)

|                                      |  |
|--------------------------------------|--|
| <b>Owner:</b> David Padgett          | <b>Address:</b> 3710 Old Jennings Road<br>Middleburg, FL 32068 |
| <b>Owner:</b> Dwayne Padgett         | <b>Address:</b> 3706 Old Jennings Road<br>Middleburg, FL 32068 |
| <b>Owner:</b> Shirley Padgett Portch | <b>Address:</b> 1941 Rose Ridge Ct.<br>Middleburg, FL 32068    |
| <b>Owner:</b> Sandy Padgett Smith    | <b>Address:</b> 505 Briar Meadows Dr.<br>Valrico, FL 33594     |

|   |  |
|---|--|
| <b>Agent:</b> Brian Small, Bird Dog, LLC. | <b>Address:</b> 3948 3 <sup>rd</sup> Street South<br>Jacksonville Beach, Fl. 32250 |
| <b>Phone:</b> (843) 384-9333              |  |
| <b>Email:</b> Brian@birddogland.com       |  |

**Property Information**

| Parcel ID              | Address                | Current Land Use | Proposed Land Use | Current Zoning |
|------------------------|------------------------|------------------|-------------------|----------------|
| 25-04-24-005603-000-00 | 3710 Old Jennings Road | RR               | BF MPC            | BFPUD          |

|                                  |   |
|----------------------------------|---|
| <b>Proposed Land Use:</b> BF MPC | <b>Acres:</b> approximately 7.71                  |
| <b>Commission District:</b> 2    | <b>Planning District:</b> Doctors Inlet/Ridgewood |

**Introduction:**

This is an application by Brian Small, (agent for the owners), submitted for an amendment to the Future Land Use Map (FLUM) of the 2040 Comprehensive Plan.

**Description:**

The subject property is zoned BFPUD and is currently developed with a single-family residence.

14

**Table 1 – Adjacent Parcel Summary**

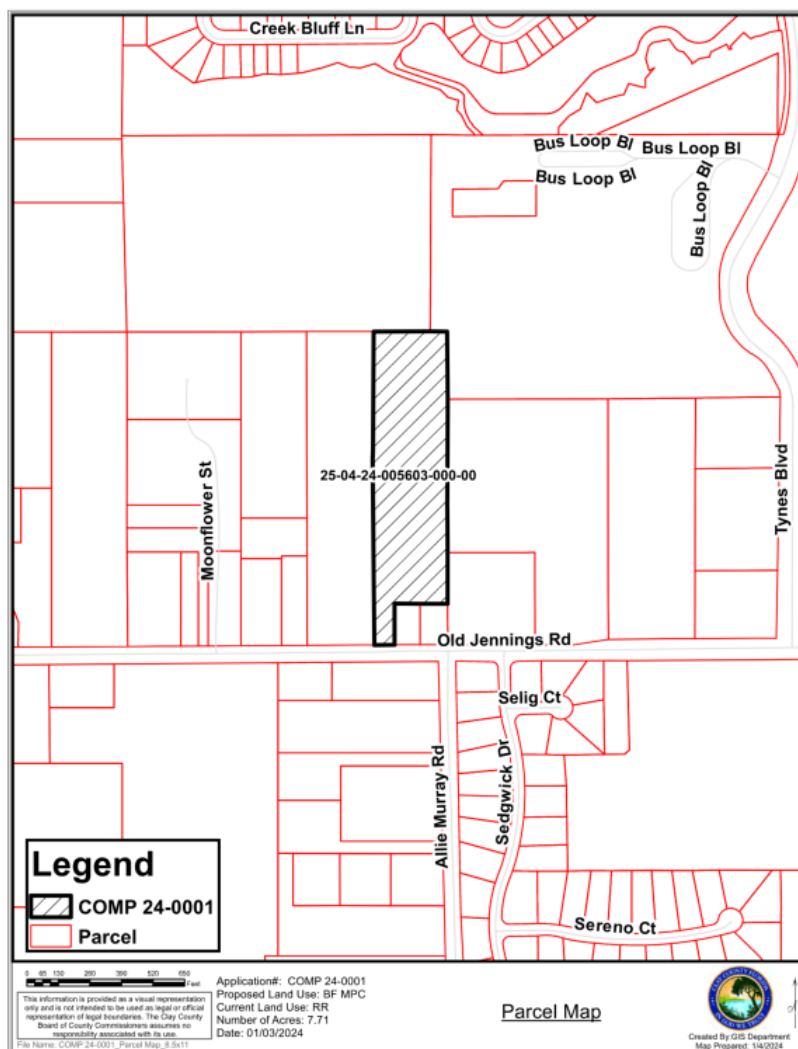
|       | Current Land Use Designation                                     | Current Zoning District | Existing Use  |
|-------|--|-------------------------|---|
| North | BF Rural Suburb (BF RS) and Rural Residential (RR)               | BFPUD                   | Vacant and Elementary School                            |
| East  | BF Rural Suburb (BF RS) and BF Master Planned Community (BF MPC) | BFPUD                   | Single Family Residential, Church and Elementary School |
| South | Rural Residential (RR)   | BFPUD                   | Single Family Residential                               |
| West  | Rural Residential (RR)   | BFPUD                   | Single Family Residential                               |

15 Figure 1 shows the location of the parcel while Figure 2 provides an aerial view of the site. Figures 3 and 4  
 16 illustrate the existing Land Use and Zoning patterns surrounding the subject property.

17

18

**Figure 1 – Parcel Map**



19

Figure 2 – Aerial Map



Figure 3 – Existing Land Use Designation Map

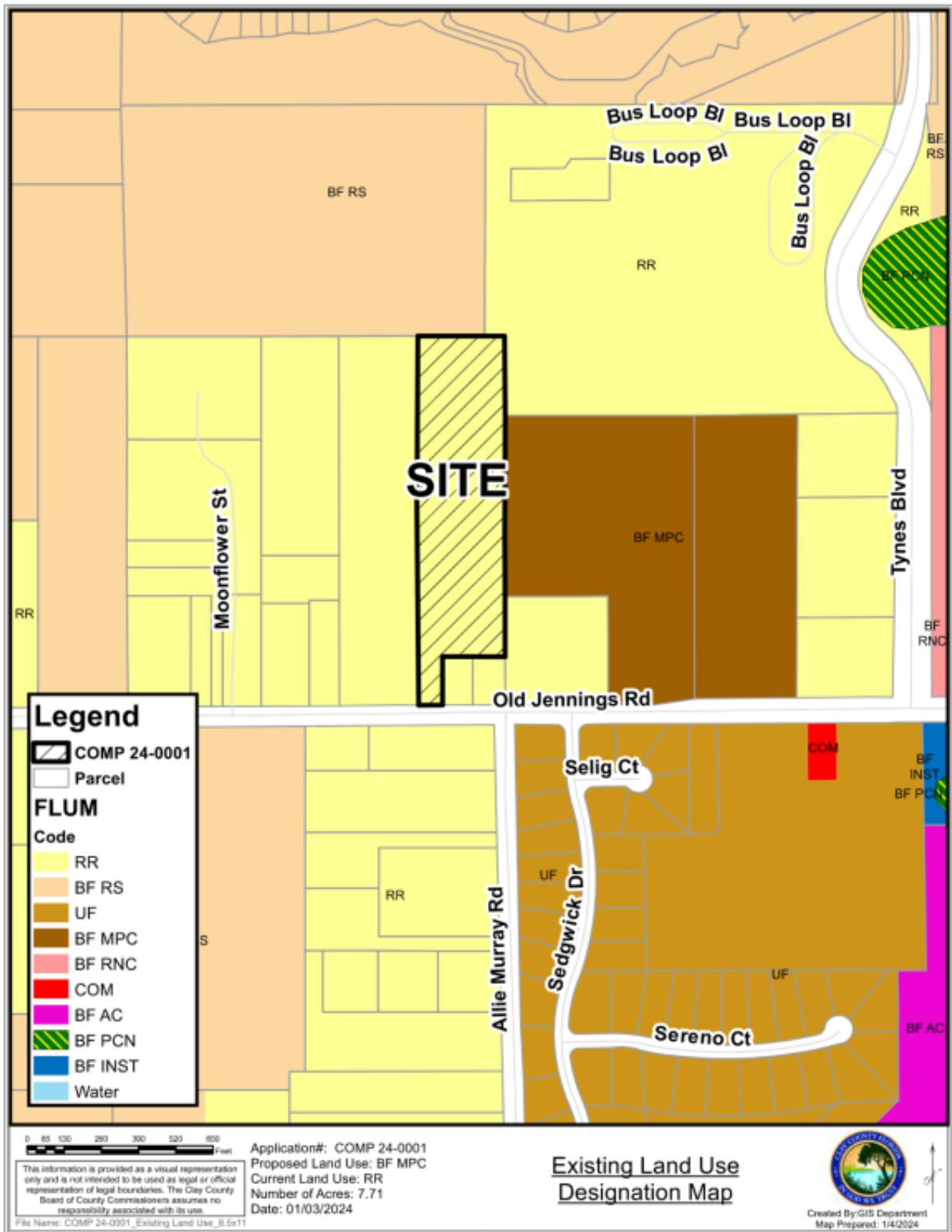
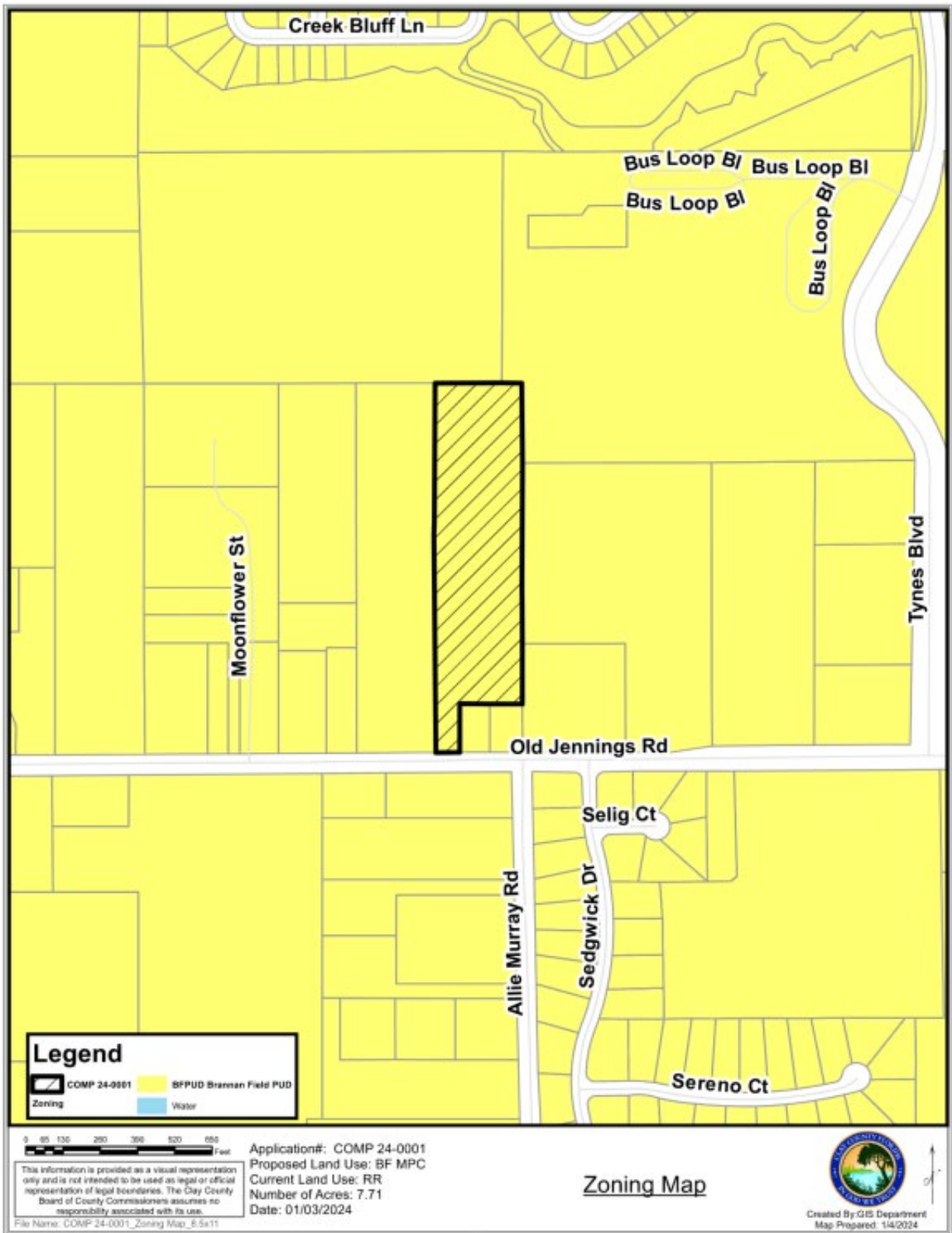


Figure 4 – Zoning Map



28    **Relevant Clay County 2040 Comprehensive Plan Policies**

29    The subject property is currently designated Rural Residential (RR). The following Comprehensive Plan  
30    policy describes the RR land use designation and permitted development intensity.

**FLU POLICY 1.4.1 (portion of)**

- 3) Rural Residential - “RR” (Exurban): These areas will serve as a transition between areas with planned urban services, agriculture/residential areas, and environmentally sensitive areas. The new growth in these areas may include central sewer or water systems or other urban level public services if feasible. Rural residential areas will provide a low density residential character.

Designation of these areas on the *Future Land Use Map* is based on recognizing a number of existing and future development factors. These include areas with soil conditions suitable for individual wells and septic systems; existing rural subdivisions with little or no infrastructure improvements, including unpaved roads; small farm or recreational and low intensity institutional uses; and areas which are in close proximity to but outside of, planned urban services and are not anticipated to develop at an intensity to require significant urban services within the planning period.

Allowable residential density under this category shall be one dwelling unit per 5 net acres. Implementation of this land use designation shall occur in accordance with the Land Development Regulations. Some locations in Rural Residential may qualify for a density of one unit per acre, but only if the requirements of tract size, clustering and points in Future Land Use Objective 1.4 and its policies are met.

- a) Within the Rural Residential land use designation, developments meeting the following criteria are authorized to subdivide parcels into tracts of no less than five acres. Property owners are further authorized to construct one single family home on each five acre parcel and to receive a building permit upon proper application therefor, without regard to the density restrictions otherwise applicable to such properties as set forth herein and in the land development regulations, and without being required to record a plat or otherwise comply with the development standards set forth in the subdivision regulations.

- i) The parcels must lie within a Residential Aviation Community.
- ii) The geographical boundary of the community must contain less than 100 parcels.
- iii) At least 75% of the parcels must be five acres in size or less.
- iv) All roads providing access to the newly created residential parcels must be paved and privately owned and maintained.
- v) The total potential number of newly created parcels must not exceed 20% of the total number of parcels within the community.

Said lots may not be further subdivided through the heirs and homestead provisions of the Plan.

31

32 This application proposes to amend the subject parcel to Branan Field Master Planned Community land  
 33 use. The following Comprehensive Plan policy describes the Branan Field Master Planned Community  
 34 land use designation and permitted development intensity.

#### **BF FLU POLICY 1.4.2 (portion of)**

BF Master Planned Community (BF MPC)

##### **1) Land Use**

The BF Master Planned Community (BF MPC) land use category provides the opportunity for a mix of uses in one project, but may be developed as a combination of individual projects, the density and development characteristics to be determined relative to activity centers, neighborhood centers, PCN and existing development characteristics. The BF MPC is characterized by a mix of residential, recreation and neighborhood commercial uses within clearly defined neighborhoods. Civic buildings for education, community meetings, religion and culture serve as landmarks by being centrally located either in or in close proximity to neighborhood centers. This balanced mix of land uses allows for increased efficiency and economy by providing home, work, and service places in close proximity to each other.

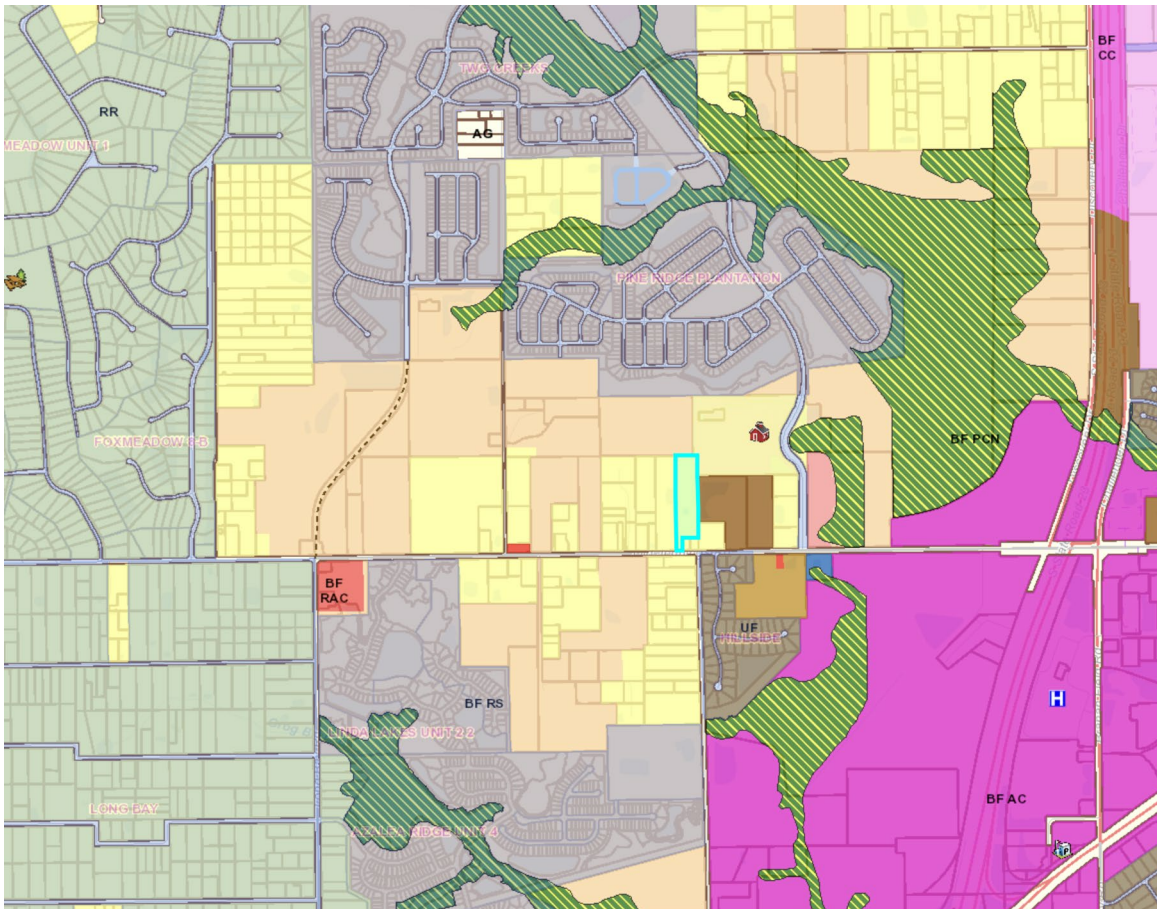
##### **2) Density**

The density range in the Master Planned Community is one dwelling unit per three gross acres to 12 dwelling units per gross acre, with an average density of five units per gross acre. To ensure that the density will not deviate substantially from the planned average, this average may not depart from the range of 2 to 5 units per gross acre at any time, across the total BF MPC areas. Higher density and senior housing, when provided,

will be placed adjacent to the Neighborhood Centers, Community Centers, Activity Centers and transit lines to provide travel opportunities for the least mobile residents. The density will be reduced based on distance from Neighborhood Centers, Community Centers and Activity Centers, placing housing with lower densities near conservation areas.

## Analysis of Proposed Amendment

The proposed amendment will change the land use of approximately 7.71 acres from Rural Residential to Branran Field Master Planned Community. The parcel is located within the Branran Field Master Plan area but retained the existing land use as it was designated prior to the master plan adoption. The intent of Branran Field is to have higher density residential located closer to the Branran Field Activity Center and to transition to the existing rural development located by Jennings State Forest. This parcel is surrounded by higher density developments designated as Branran Field Rural Suburbs land use but were developed with Branran Field Master Planned Community standards due to bonus density through preservation. The map below shows the location of the subject parcel in relation to the surrounding Two Creeks, Pine Ridge Plantation, Azalea Ridge, Linda Lakes and Foxmeadows neighborhoods.



The applicant is proposing to change the Future Land Use Map designation of this parcel from Branan Field Existing Rural Residential (1 du/5 gross acres; with points and clustering 1du/acre) to Branan Field Master Planned Community (BF MPC, 1 du/ 3 gross acre to 12 du/gross acre).

**Table 2 – Summary of Application**

| COMP 24-0001                 | Acreage    | Existing Land Use Category                  | Existing Maximum Intensity   | Proposed Land Use Category                        | Proposed Maximum Intensity | Net Increase in Maximum Density |
|------------------------------|------------|---|--|---|----------------------------|---------------------------------|
| Tax parcel:<br>005603-000-00 | 7.71 acres | (BF)<br>Existing/<br>Rural Residential (RR) | 1 du/5 net ac<br>(max. 1 du)<br><br>1 du/1 net ac<br>(with points and clustering)<br><br>(max. 7 du) | BF MPC<br>(Branan Field Master Planned Community) | 12 du/gross ac             | Increase 85 du                  |

## Availability of Services

### Traffic Facilities:

Trip Generation calculated as: Low-Rise Residential Condominium/Townhouse (ITE 231)

P.M. Peak Hour of Generator Average Rate = .78 x 85 = 66

**Table 3 – Traffic Analysis**

| Road              | Segment           | Entering   |       | Exiting    |       | Total PM Peak Hour Trips |
|-------------------|-------------------|------------|-------|------------|-------|--------------------------|
| Old Jennings Road | Long Bay to SR 23 | Percentage | Trips | Percentage | Trips |                          |
|                   |                   | 58%        | 38    | 42%        | 28    | 66                       |

There is available capacity on this segment of Old Jennings Road to accommodate potential increase in project traffic.

### Schools:

School Concurrency is required at the time of development review

### Recreation:

Development in the Branan Field Master Plan is required to provide recreational facilities which will minimize the impact to County recreational facilities.

Water and Wastewater:

The subject parcels are located within the Urban Service Area.

Stormwater/Drainage:

Stormwater management for any new construction will meet County and Water Management District standards.

Solid Waste:

Clay County has existing solid waste service to the area.

**Table 4 - Existing Capacity for Solid Waste**

|                                    | Solid Waste | Units              |
|------------------------------------|-------------|--------------------|
| Total Permitted Airspace           | 67,675,940  | Cubic Yards        |
| Available Airspace as of 1/10/2023 | 2,898,560   | Cubic Yards        |
| Future Airspace Available          | 47,559,070  | Cubic Yards        |
| Density                            | 1.15        | Ton per Cubic Yard |
| Total Available                    | 54,692,930  | Tons               |
| Average Monthly                    | 89,857      | Tons               |
| Site Life                          | 584         | Months             |
|                                    | 48.7        | Years              |

Source: Environmental Services 9/28/2023

**Land Suitability:**

Soils:

The parcel primarily contains Allanton and Scranton soils but also a small area of Albany. See Figure 5.

Flood Plain:

The subject property does not have any floodway located within its boundary. See Figure 6.

Topography:

The subject property is relatively flat with an elevation of approximately 64'. See Figure 7.

Regionally Significant Habitat:

The subject property is generally surrounded by primarily low density developed lands. The parcel adjacent to the north remains in a natural state. See Figure 8.

Historic Resources:

No historic structures are located within the property. See Figure 9.

Compatibility with Military Installations:

The subject property is not located near Camp Blanding.

Figure 5 – Soil Map

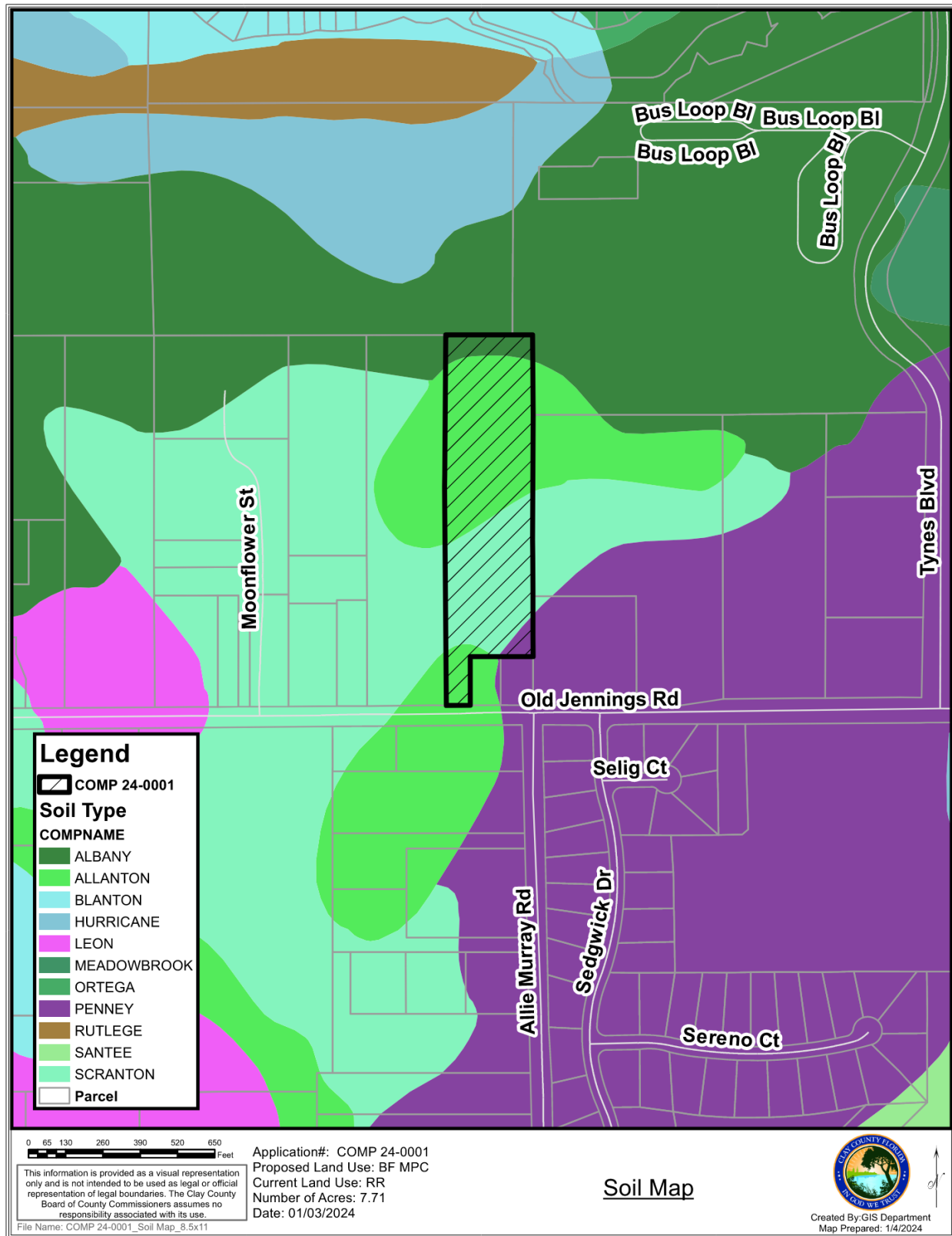


Figure 6 – Flood Zone Map

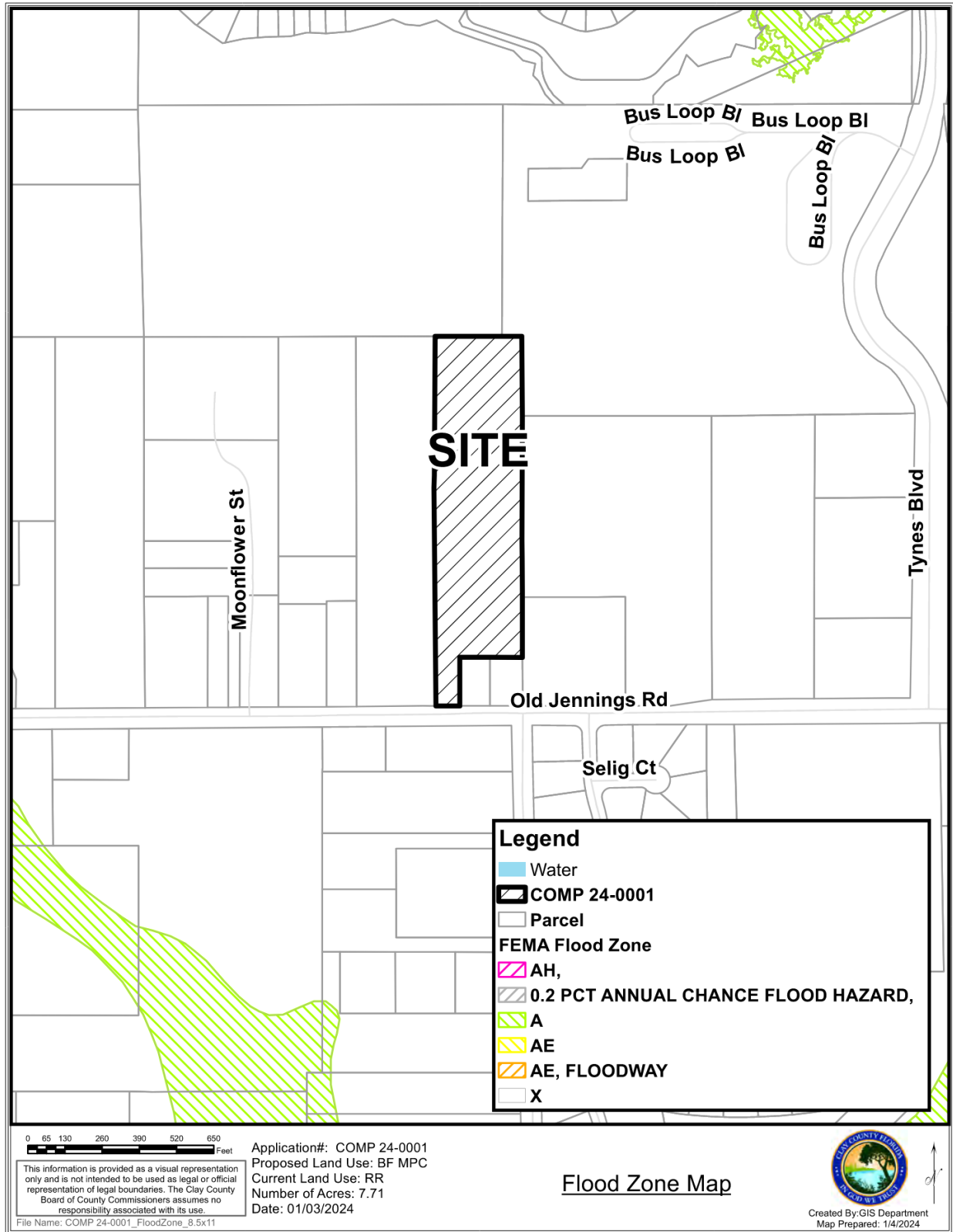


Figure 7 – Topo Map

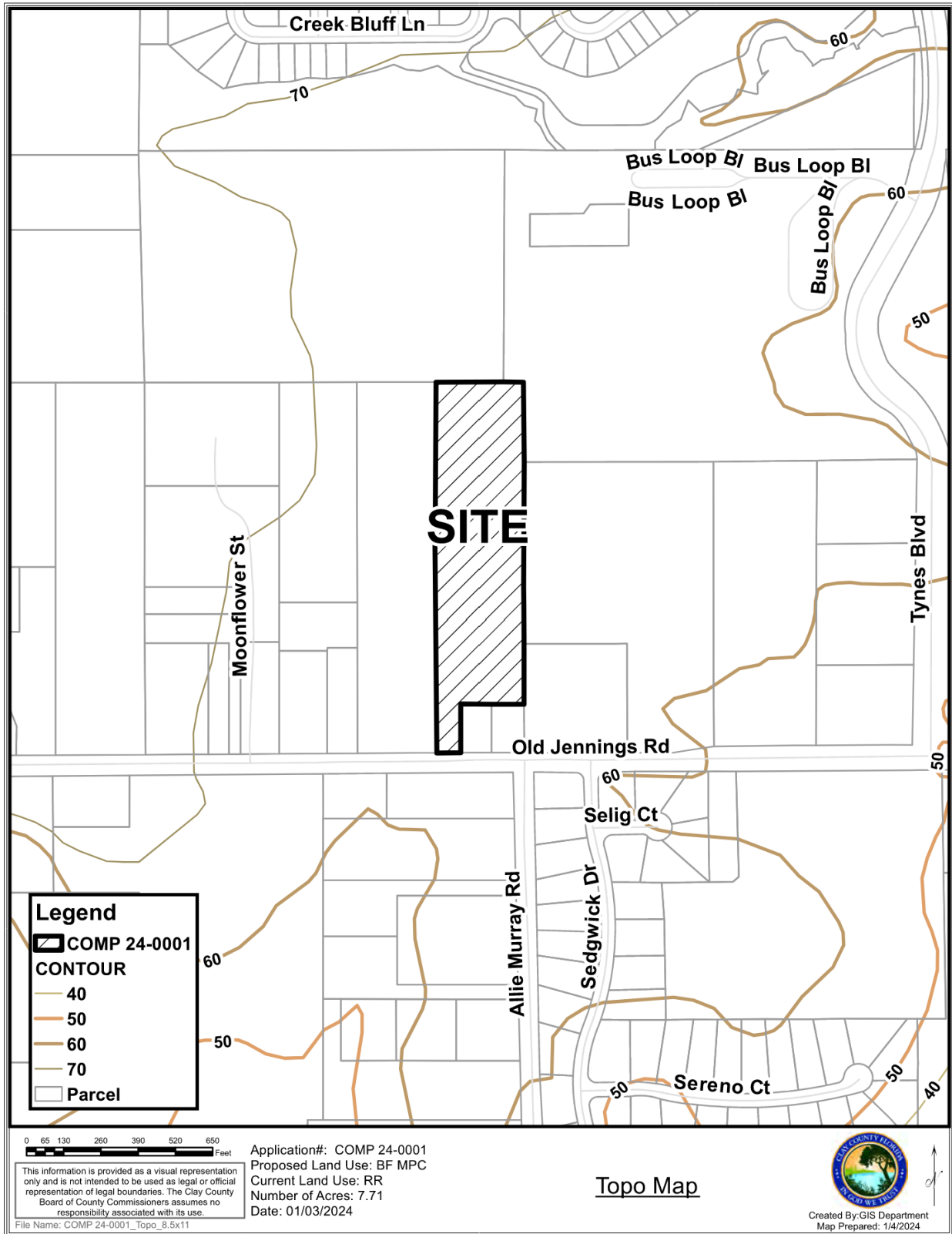
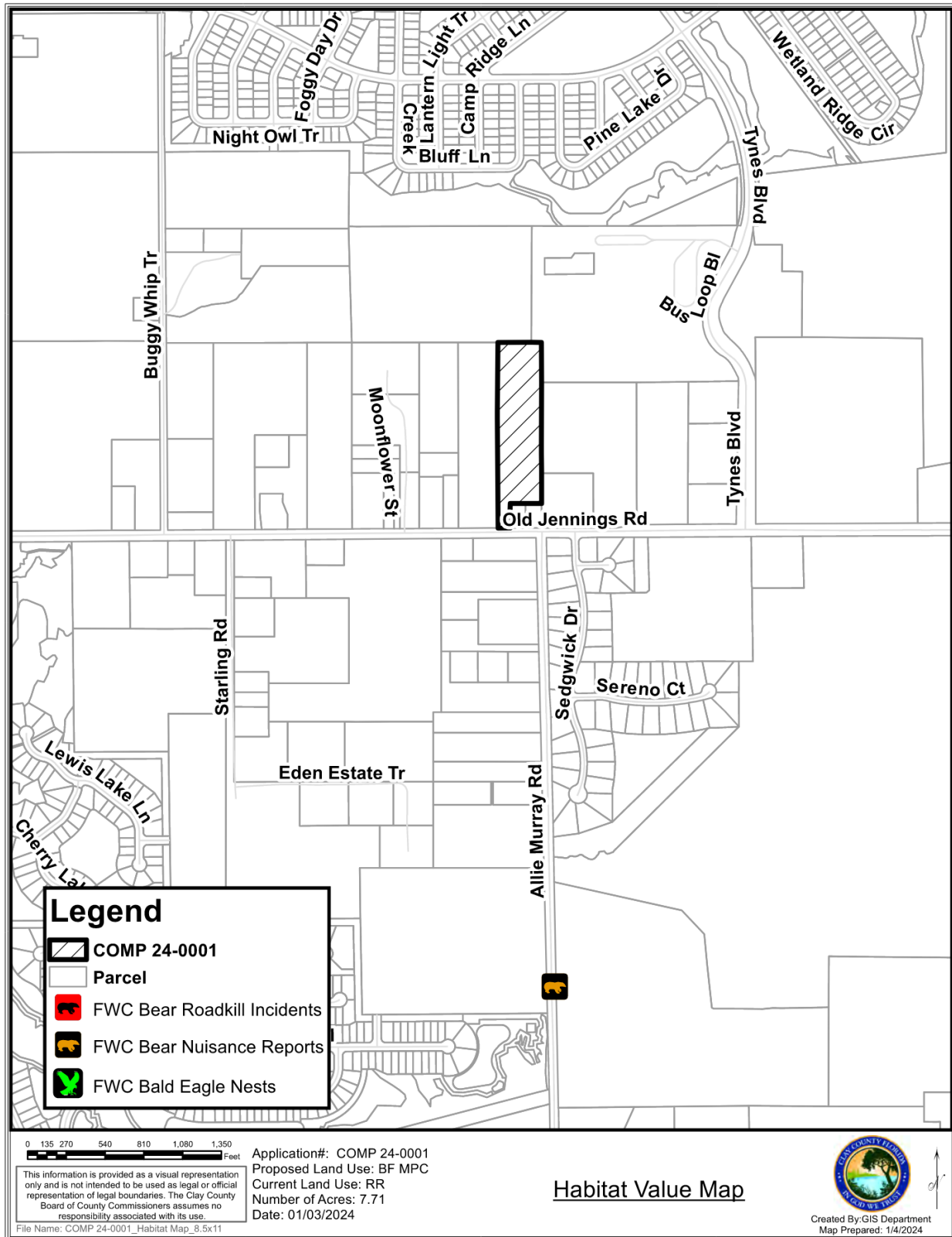
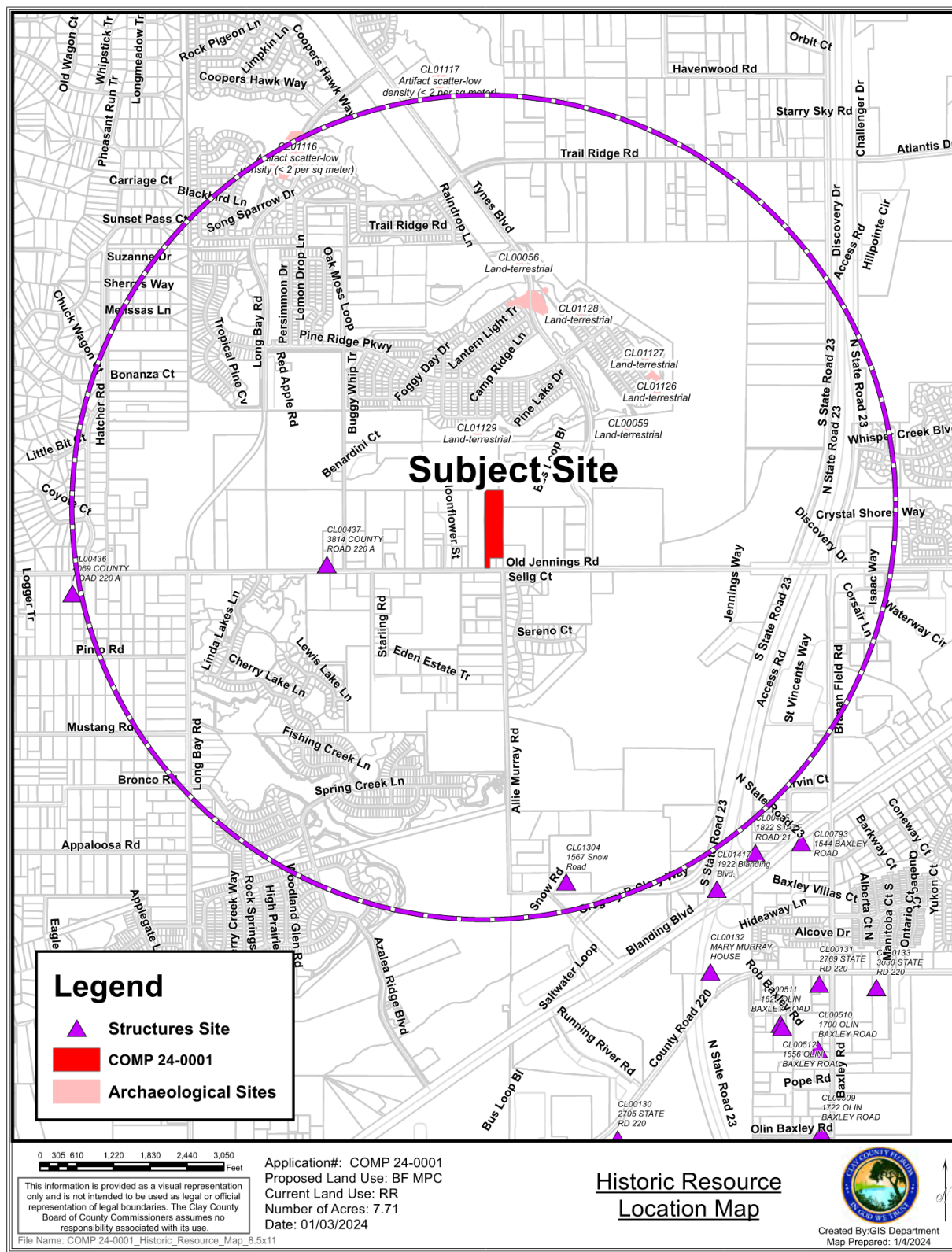


Figure 8 – Habitat Value Map



### Figure 9 - Historic Resources



Analysis Regarding Urban Sprawl

It is the intent of Clay County to discourage the proliferation of Urban Sprawl. As required by FS 163.3177, all proposed comprehensive plan amendments are to be analyzed to ensure that urban sprawl and its negative impacts are not promoted.

1. The proposed amendment will not promote, allow or designate substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses. The proposed amendment would increase the density to be more consistent with surrounding higher density developments.
2. The adoption of the amendment will not promote, allow, or designate significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas. The subject property is located within .4 miles of the Branan Field Activity Center and is adjacent to an Elementary School.
3. The proposed amendment will not promote urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. The subject parcel is located in a developing area that would provide connection to surrounding developments.
4. The proposed amendment will not fail to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems. The site does not appear to have significant wetlands or environmentally sensitive areas.
5. The proposed amendment will not fail to protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils. Some of the surrounding parcels are currently more rural in nature but not agricultural.
6. The proposed amendment will not fail to maximize the use of existing public facilities and services. The property is located within the Urban Service Area where public facilities and services are intended to be provided.
7. The proposed amendment does not fail to maximize use of future public facilities and services as it is located within the Urban Service Area where public facilities are anticipated to be extended.
8. The proposed amendment, located within the Urban Service Area, allows for land use patterns or timing which do not disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
9. The proposed amendment does not fail to provide a clear separation between rural and urban uses as it is located in an area designated for urban development.
10. The proposed amendment does not discourage or inhibit infill development or the redevelopment of existing neighborhoods and communities. The proposed amendment will be infill development.
11. The proposed amendment does not fail to encourage a functional mix of uses. Development of the subject parcel would allow for higher density residential in close proximity to the Branan Field Activity Center.
12. The proposed amendment will not result in poor accessibility among linked or related land uses.

13. The proposed amendment will not result in the loss of significant amounts of functional open space as the parcel does not contain any Branan Field Primary Conservation Network lands which are the pristine lands intended for protection in the master plan area.

Specifically, the proposed amendment shall be determined to discourage the proliferation of urban sprawl because it incorporates a development pattern or urban form that achieves the following:

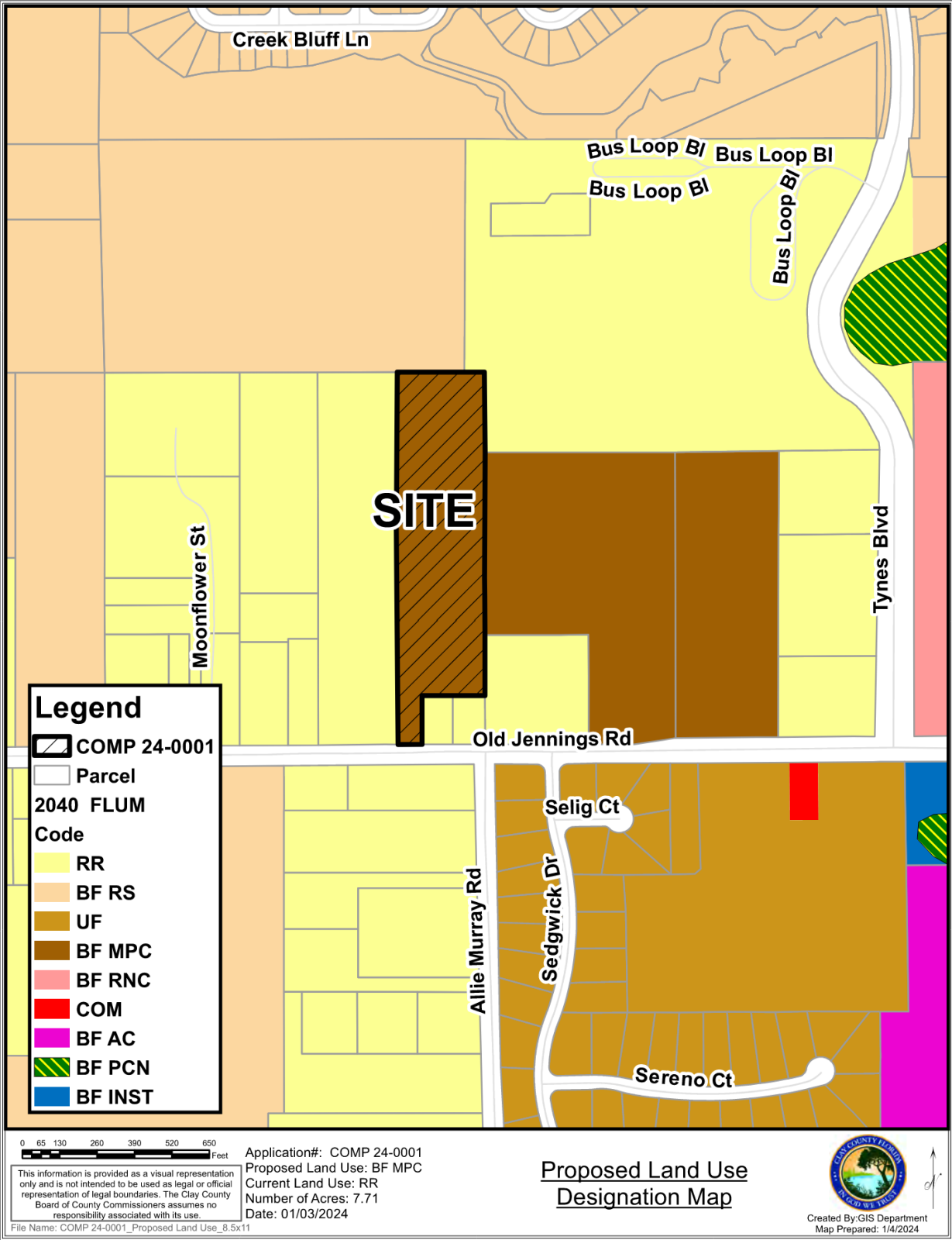
1. Directs economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
2. It promotes the efficient and cost effective use of existing and future public facilities and services.
3. Supports infill development.
4. Preserves open space and natural lands by redeveloping already impacted lands.

### **Summary and Recommendation**

The proposed amendment would add 7.71 acres of Branan Field Master Planned Community to an area believed to be appropriate for higher density due to the proximity to the Branan Field Activity Center. The subject parcel is located in an area that serves as a transition from the Activity Center to the pre-master plan existing lower density development to the west near Jennings State Forest. The subject parcel is immediately adjacent to BF MPC designated land and located within an area surrounded by neighborhoods developed with the BF MPC standards.

Staff recommends approval of COMP 24-0001 as shown on Figure 9.

Figure 10 – Proposed Land Use Designation Map





Agenda Item  
PLANNING COMMISSION

Clay County Administration Building  
Tuesday, March 5 5:00 PM

TO: Planning Commission

DATE: 2/27/2024

FROM: Dodie Selig, AICP, Chief  
Planner

SUBJECT: This application is a Staff initiated amendment to Article III. Sec. 3-5 Conditional Uses. The amendment will renumber the list of conditional uses to bring them back into alphabetical order. The amendment will also reserve certain numbers in advance of a proposed amendment to add regulations related to aircraft and airports. No new conditional uses are proposed by this amendment nor are any conditional uses changed by this amendment.

AGENDA ITEM TYPE:

---

ATTACHMENTS:

| Description                    | Type       | Upload Date | File Name   |
|--------------------------------|------------|-------------|---|
| ▢ Staff Report for ZON 24-0005 | Cover Memo | 2/27/2024   | PC_Staff_Report_ZON-23-0005 - Sec. 3-5 Re-numbering.ADA.pdf |
| ▢ Ordinance for ZON 24-0005    | Ordinance  | 2/27/2024   | Ordinance_Art. III_Sec. 3-5_re-ordering.ADA.pdf             |



## Staff Report and Recommendations for ZON-24-0005

Copies of the application are available at the Clay County  
Administration Office, 3<sup>rd</sup> floor, located at 477 Houston Street Green Cove Springs, FL 32043

### Introduction:

This application is a Staff initiated amendment to Article III. Sec. 3-5 Conditional Uses. The amendment will renumber the list of conditional uses to bring them back into alphabetical order. The amendment will also reserve certain numbers in advance of a proposed amendment to add regulations related to aircraft and airports. No new conditional uses are proposed by this amendment nor are any conditional uses changed by this amendment.

### Analysis of Proposed Zoning Text Amendment

In reviewing proposed Amendments to the Code, the following criteria may be considered along with such other matters as may be appropriate to the particular application:

(a) Whether the proposed amendment is necessary as a result of a change of Florida, is corrective in nature, or is necessary to implement the requirements of the Code or the Plan; and

Staff Finding: The proposed text amendment is necessary in order to bring the list of Conditional Uses back into alphabetical order.

(b) The relationship of the proposed change to the policies and objectives of the Plan with consideration as to whether the proposed change will further the purposes and intent of the Code and the Plan.

Staff Finding: The proposed amendment will support the purposes and intent of the Code by providing a more concise listing of all conditional uses within the land development code.

### Recommendation

Staff recommends approval of ZON-24-0005.

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, RELATING TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED PURSUANT TO ORDINANCE 93-16, AS SUBSEQUENTLY AMENDED AND COMPRISING THE ZONING AND LAND USE PROVISIONS BY AMENDING SECTION 3-5 RELATED TO CONDITIONAL USES TO RE-ORDER THE LISTED CONDITIONAL USES (a) TO (bt) ALPHABETICALLY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board adopted Ordinance 1993-16, as amended, which created Article III of the Clay County Land Development Code being the Zoning and Land Use Development Regulations; and,

**WHEREAS**, the Board desires to amend certain provisions in Article III of the Clay County Land Development Code as provided below.

Be It Ordained by the Board of County Commissioners of Clay County:

**Section 1.** As used herein, the term “Article III” shall mean and refer to Article III of the Clay County Land Development Code, (the Code), being the codification of Ordinance No. 93-16 and comprising the Zoning and Land Use provisions of the Code.

**Section 2.** Subsection 3-5 is hereby amended to re-order all of the conditional uses, alphabetically, as follows:

- (a) ~~*Animal Clinics*~~ *Accessory Dwelling Unit (ADU)*
- (b) ~~*Animal Control Facilities*~~ *Adult Arcade Amusement Centers*
- (c) ~~*Accessory Dwelling Unit (ADU)*~~ *Reserved*
- (d) ~~*Adult Arcade Amusement Centers*~~ *Animal Clinics*
- (e) ~~*Apiculture (Hobbyist)*~~ *Animal Control Facilities*
- (f) ~~*Auctions*~~ *Apiculture (Hobbyist)*
- (g) ~~*Aviculture (Commercial)*~~ *Auctions*
- (h) ~~*Aviculture (Hobbyist)*~~ *Aviculture (Commercial)*
- (i) ~~*Bed and Breakfast Inns*~~ *Aviculture (Hobbyist)*

- (j) ~~Bird Sanctuaries and Rehabilitation Centers~~ Bed and Breakfast Inns
- (k) ~~BMX Track (Bicycle Motocross; Non-motorized)~~ Bird Sanctuaries and Rehabilitation Centers
- (l) ~~Borrow Pits~~ BMX Track (Bicycle Motocross; Non-motorized)
- (m) ~~Broilerhouses~~ Borrow Pits
- (n) ~~Campground/Recreational Park~~ Broilerhouses
- (o) ~~Chickens, Backyard Residential~~ Campground/Recreational Park
- (p) ~~Commercial Feed Lots for Livestock~~ Chickens, Backyard Residential
- (q) ~~Commercial Kennels~~ Commercial Feed Lots for Livestock
- (r) ~~Communication Antennas and Communication Towers~~ Commercial Kennels
- (s) ~~Community Gardens~~ Communication Antennas and Communication Towers
- (t) ~~Correctional Facility~~ Community Gardens
- (u) ~~Dog Park~~ Correctional Facility
- (v) ~~Dwelling Unit with Kitchen Addition for Parent, Grandparent or Child~~ Dog Park
- (w) ~~Electronic Game Promotions Centers~~ Dwelling Unit with Kitchen Addition for Parent, Grandparent or Child
- (x) ~~Fairground Association Administrative Office and Accessory Uses~~ Electronic Game Promotions Centers
- (y) ~~Fences~~ Fairground Association Administrative Office and Accessory Uses
- (z) ~~Flea Markets~~ Fences
- (aa) ~~Golf Driving Ranges~~ Flea Markets
- (ab) ~~Group Home (Residential)~~ Golf Driving Ranges
- (ac) ~~Heliports and Helipads~~ Group Home (Residential)
- (ad) ~~Home Occupations~~ Heliports and Helipads
- (ae) ~~Horse Hotels~~ Home Occupations

- (af) ~~Hotels and Motels~~ Horse Hotels
- (ag) ~~Indoor Shooting Ranges~~ Hotels and Motels
- (ah) ~~Land Application of Domestic Septage~~ Indoor Shooting Ranges
- (ai) ~~Land Clearing Debris Disposal Facility~~ Land Application of Domestic Septage
- (aj) ~~Landing Strips~~ Land Clearing Debris Disposal Facility
- (ak) ~~Marine Facilities~~ Landing Strips
- (al) ~~Medical Marijuana Treatment Center Dispensing Facilities~~ Marine Facilities
- (am) ~~Mini-Warehouses~~ Medical Marijuana Treatment Center Dispensing Facilities
- (an) ~~Mobile Businesses~~ Mini-Warehouses
- (ao) ~~Mobile Home for Medical Hardship~~ Mobile Businesses
- (ap) ~~Motocross (MX) Motorized~~ Mobile Home for Medical Hardship
- (aq) ~~Mudboggging~~ Motocross (MX) Motorized
- (ar) ~~Outdoor Drive-in Theaters, Private Arenas, and Auditoriums~~ Mudboggging
- (as) ~~Outdoor Shooting Range~~ Outdoor Drive-in Theaters, Private Arenas, and Auditoriums
- (at) ~~Plant Nurseries~~ Outdoor Shooting Range
- (au) ~~Portable Storage Structure~~ Plant Nurseries
- (av) ~~Private ponds or agricultural livestock ponds~~ Portable Storage Structure
- (aw) ~~Public Assembly~~ Private ponds or agricultural livestock ponds
- (ax) ~~Public and/or Private Sewer Facilities~~ Public Assembly
- (ay) ~~Radio, Television, Microwave Relay Stations or Towers and Accessory Equipment Buildings~~ Public and/or Private Sewer Facilities
- (az) ~~Recreational Facilities~~ Public Educational Facilities
- (ba) ~~Recreational Vehicle and Boat Storage~~ Radio, Television, Microwave Relay

Stations or Towers and Accessory Equipment Buildings

- (bb) ~~Recreational Vehicle Temporary Use~~ Recreational Facilities
- (bc) ~~Recycling Collection Centers~~ Recreational Vehicle and Boat Storage
- (bd) ~~Residential in Non-Residential Districts~~ Recreational Vehicle Temporary Use
- (be) ~~Restaurants~~ Recycling Collection Centers
- (bf) ~~Retreat Centers~~ Residential in Non-Residential Districts
- (bg) ~~Riding Academies~~ Restaurants
- (bh) ~~Rock Crushing; Rock or Sand Storage Yards; and Stone Cutting~~ Retreat Centers
- (bi) ~~Rural Event Center~~ Riding Academies
- (bj) ~~Reserved~~ Rock Crushing; Rock or Sand Storage Yards; and Stone Cutting
- (bk) ~~Sales from Vehicles~~ Rural Event Center
- (bl) ~~Seasonal Outdoor Sales~~ Sales from Vehicles
- (bm) ~~Temporary living quarters during construction of a residence~~ Seasonal Outdoor Sales
- (bn) ~~Skating Rinks and Skate Parks (Indoor)~~ Temporary living quarters during construction of a residence
- (bo) ~~Solar Farms~~ Skating Rinks and Skate Parks (Indoor)
- (bp) ~~Swimming Pools~~ Solar Farms
- (bq) ~~Temporary Structures or Buildings~~ Swimming Pools
- (br) ~~Trench Sanitary Landfill~~ Temporary Structures or Buildings
- (bs) ~~Youth Camps~~ Trench Sanitary Landfill
- (bt) ~~Public Educational Facilities~~ Youth Camps

**Section 3.** If any section, phrase, sentence or portion of the ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 4.** This Ordinance shall take effect as provided by Florida general law.

**DULY ADOPTED** by the Board of County Commissioners of Clay County, Florida, this \_\_\_\_\_ day of March, 2024.

BOARD OF COUNTY COMMISSIONERS  
OF CLAY COUNTY, FLORIDA

By: \_\_\_\_\_  
Jim Renninger, Its Chairman

ATTEST:

By: \_\_\_\_\_  
Tara S. Green,  
Clay County Clerk of Court and Comptroller  
Ex Officio Clerk to the Board

F:\Legal Ads and Ordinances\March 2024\Ordinances\Ordinance\_Art. III Sec. 3-5 re-ordering\_final.docx



Agenda Item  
PLANNING COMMISSION

Clay County Administration Building  
Tuesday, March 5 5:00 PM

TO: Planning Commission

DATE: 2/27/2024

FROM: Edward Lehman, Planning  
Director

SUBJECT: This proposed change reduces the zoning districts that allow for land clearing debris off-site disposal facility as a conditional use and clarifies that the disposal is for off-site debris only.

AGENDA ITEM TYPE:

---

**BACKGROUND INFORMATION:**

Land clearing debris is already allowed as a temporary ancillary use if the land clearing is done on-site. However, the conditions tied to the conditional use are clearly meant for those facilities that are developed to handle off-site disposal (such as the one on Powerline Road). This use is incompatible with many of the uses allowed in these zoning districts and should not be allowed as a conditional use.

**ATTACHMENTS:**

| Description       | Type       | Upload Date | File Name   |
|-------------------|------------|-------------|---|
| ▣ Staff memo      | Cover Memo | 2/29/2024   | Staff_memo_off_site_debris_disposal.ADA.pdf                         |
| ▣ Draft ordinance | Ordinance  | 2/29/2024   | Ordinance_(draft)_ZON-24-_-2-12-24-<br>_Land_Debris_final_A.ADA.pdf |



**Department of Economic  
and Development Services**

**Memorandum**

**To:** Planning Commission  
**From:** Edward Lehman, Director of Planning and Zoning  
**Date:** February 26, 2024  
**Re:** Land Development Code Change ZON24-0003: Reducing the Number of Zoning Districts  
in Which Land Clearing Debris Disposal Facilities are Allowed as a Conditional Use.

---

**INTRODUCTION**

This is a County-sponsored amendment to the Land Development Code to limit the zoning districts in which land clearing disposal facilities are allowed. Furthermore, the conditional use is clarified to add off-site to the title of the conditional use to distinguish between those facilities that collect debris from other sites (such as the one on Power Line Road) and the temporary debris removal on individual sites that is allowed as a general ancillary result of clearing a site.

**DISCUSSION:**

Land clearing debris disposal facilities are currently allowed in several zoning districts where the use is inappropriate and incompatible with the other uses allowed in those zoning districts. It should be noted that land clearing debris disposal facilities are those uses where the user collects land debris from other sites for disposal on his property.

Staff proposes that off-site disposal facilities continue to be allowed as a conditional use in the following zoning districts:

- Agricultural (AG)
- Industrial Select (IS)
- Light Industrial (IA)
- Heavy Industrial (IB)
- Planned Industrial (PID)
- Public Ownership (PO-3, PO-4)
- Private Services (PS-2)
- Excavation (EX)

Staff proposes that these facilities no longer be allowed as conditional uses in the following zoning districts:

- Agricultural/Residential (AR)
- Country Estates (AR-1)
- Rural Estates (AR-2)
- Commercial and Professional Office (BA-2)
- Light Neighborhood Business (BA-1)
- Neighborhood Business (BA)
- Intermediate Business (BB)
- Light Intermediate Business (BB-1)
- Community Business (BB-2)
- Specialty Business (BB-3)
- Heavy Business (BB-4)
- Commercial Recreation (BB-5)
- Shopping Center (BSC)
- Business Park (BP)
- Planned Commercial Development (PCD)
- Planned Unit Development (PUD)
- Public Ownership (PO-1, PO-2)
- Private Services (PS-1, PS-3, PS-4, PS-5)

**RECOMMENDATION:**

Staff recommends that the Land Development Code be amended to clarify that the types of land debris clearing facilities are subject to conditional use and to limit the zoning districts in which off-site facilities are allowed.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, BEING THE CODIFICATION OF ORDINANCE NO. 93-16, AS SUBSEQUENTLY AMENDED, AND COMPRISING THE ZONING AND LAND USE PROVISIONS; BY AMENDING SECTION 3-5(ai) (AS PRESENTLY CODIFIED AND PRIOR TO BEING CHANGED TO SECTION 3-5(aj) BY SEPARATE ORDINANCE) TO ADD “OFF-SITE” TO THE NAME OF THE “LAND CLEARING DEBRIS DISPOSAL FACILITY” CONDITIONAL USE; TO REVISE THE SITING CRITERIA IN SUBSECTION (8); AND TO REVISE THE RESIDENTIAL BUFFERING IN SUBSECTION (9); BY AMENDING THE FOLLOWING ZONING DISTRICTS TO ADD “OFF-SITE” TO THE NAME OF THE LAND CLEARING DEBRIS DISPOSAL FACILITY CONDITIONAL USE: SECTION 3-12(c)(24) AGRICULTURAL DISTRICT (ZONE AG), SECTION 3-28(c)(3) INDUSTRIAL SELECT (ZONE IS), SECTION 3-29(c)(4) LIGHT INDUSTRIAL (ZONE IA), SECTION 3-30(c)(5) HEAVY INDUSTRIAL ZONE (ZONE IB), SECTION 3-32(L)(1) PLANNED INDUSTRIAL DEVELOPMENT DISTRICT (ZONE PID), SECTION 3-36(c)(4) PUBLIC OWNERSHIP (ZONE PO-3), SECTION 3-37(c)(4) PUBLIC OWNERSHIP (ZONE PO-4), SECTION 3-39(c)(6) PRIVATE SERVICES (ZONE PS-2), AND SECTION 3-42(d)(3) EXCAVATION ZONE (EX); BY AMENDING THE FOLLOWING ZONING DISTRICTS TO REMOVE LAND CLEARING DEBRIS DISPOSAL FACILITY FROM THE LIST OF CONDITIONAL USES AND TO THEREAFTER RENUMBER ANY REMAINING CONDITIONAL USES: SECTION 3-13(c)(17) AGRICULTURAL/RESIDENTIAL DISTRICT (AR), SECTION 3-14(c)(8) COUNTRY ESTATES DISTRICT (AR-1), SECTION 3-15(c)(8) RURAL ESTATES DISTRICT (ZONE AR-2), SECTION 3-22(c)(3) COMMERCIAL AND PROFESSIONAL OFFICE DISTRICT (ZONE BA-2), SECTION 3-23(c)(3) LIGHT NEIGHBORHOOD BUSINESS DISTRICT (ZONE BA-1), SECTION 3-24(d)(6) NEIGHBORHOOD BUSINESS DISTRICT (ZONE BA), SECTION 3-25(c)(14) INTERMEDIATE BUSINESS DISTRICT (ZONE BB), SECTION 3-26(c)(7) LIGHT INTERMEDIATE BUSINESS DISTRICT (ZONE BB-1), SECTION 3-26.1(c)(7) COMMUNITY BUSINESS DISTRICT (ZONE BB-2), SECTION 3-26.2(c)(3) SPECIALTY BUSINESS DISTRICT ZONE (ZONE BB-3), SECTION 3-26.3(c)(4) HEAVY BUSINESS DISTRICT (ZONE BB-4), SECTION 3-26.4(c)(8) COMMERCIAL RECREATION DISTRICT (ZONE BB-5), SECTION 3-27(c)(4) SHOPPING CENTER DISTRICT (ZONE BSC), SECTION 3-30.1(e)(2) BUSINESS PARK (ZONE BP), SECTION 3-31(l)(1) PLANNED COMMERCIAL DEVELOPMENT DISTRICT (ZONE PCD), SECTION 3-

33(m)(1) PLANNED UNIT DEVELOPMENT (ZONE PUD), SECTION 3-34(c)(3) PUBLIC OWNERSHIP (ZONE PO-1), SECTION 3-35(c)(3) PUBLIC OWNERSHIP (ZONE PO-2), SECTION 3-38(c)(4) PRIVATE SERVICES (ZONE PS-1), SECTION 3-40(c)(1)(iii) PRIVATE SERVICES (ZONE PS-3), SECTION 3-41(c)(3) PRIVATE SERVICES (ZONE PS-4), AND SECTION 3-41.1(e)(2) PRIVATE SERVICES (ZONE PS-5); PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Board adopted Ordinance 1993-16, as amended, which created Article III of the Clay County Land Development Code being the Zoning and Land Use Development Regulations; and,

**WHEREAS**, the Board desires to amend certain provisions in Article III of the Clay County Land Development Code as provided below.

Be It Ordained by the Board of County Commissioners of Clay County:

**Section 1.** As used herein, the term “Article III” shall mean and refer to Article III of the Clay County Land Development Code, (the Code), being the codification of Ordinance No. 93-16 and comprising the Zoning and Land Use provisions of the Code.

**Section 2.** Subsection 3-5(ai) (as presently codified and prior to being changed to section 3-5(aj)) is hereby amended to add “off-site” to the name of the conditional use. as follows:

(aj) *Land Clearing Debris Off-Site Disposal Facility*

**Section 3.** Subsection 3-5(ai)(8) (as presently codified and prior to being changed to section 3-5(aj)) is hereby amended to revise the Siting criteria as follows:

(8) Siting Criteria:

|                   | <u>Land Use</u>                     | <u>Site Size</u>            | <u>Road Functional Classification</u> |
|-------------------|-------------------------------------|-----------------------------|---------------------------------------|
| (i)               | Agricultural                        | No Limit                    | No Minimum                            |
| <del>(ii)</del>   | <del>Commercial</del>               | <del>No Limit</del>         | <del>No Minimum</del>                 |
| <del>(iv)</del>   | <del>Mining</del>                   | <del>No Limit</del>         | <del>No Minimum</del>                 |
| <del>(ivii)</del> | <del>Industrial</del>               | <del>No Limit</del>         | <del>No Minimum</del>                 |
| <del>(v)</del>    | <del>Agricultural/Residential</del> | <del>under five acres</del> | <del>No Minimum</del>                 |
|                   |                                     | <del>over five acres</del>  | <del>Major Collector</del>            |
| <del>(vi)</del>   | <del>Rural Residential</del>        | <del>under one acre</del>   | <del>No Minimum</del>                 |
|                   |                                     | <del>over one acre</del>    | <del>Major Collector</del>            |
| <del>(vii)</del>  | <del>Rural Fringe</del>             | <del>under one acre</del>   | <del>No Minimum</del>                 |
|                   |                                     | <del>over one acre</del>    | <del>Major Collector</del>            |
| <del>(viii)</del> | <del>Urban Fringe</del>             | <del>under 0.5 acres</del>  | <del>No Minimum</del>                 |
|                   |                                     | <del>over 0.5 acres</del>   | <del>Major Collector</del>            |

~~(ix) Urban Core (10) under 0.5 acres No Minimum~~  
~~over 0.5 acres Major Collector~~

**Section 4.** Subsection 3-5(ai)(9) (as presently codified and prior to being changed to section 3-5(aj)) is hereby amended to revise the residential buffering requirements as follows:

- (9) Disposal Facilities which are adjacent to residential land use categories ~~and over one acre in size shall be buffered as follows:~~
  - ~~(i) If the toe of the slope or the top of the bank is within 50 feet of the property line the buffer shall be with~~ a 6 foot opaque fence and 50 feet of existing vegetation or landscaping.
  - ~~(ii) If the toe of the slope or the top of the bank is more than 50 feet from the property line, 50 feet of existing vegetation shall be maintained. (Amended 6/98 Ord. 98-27)~~

**Section 5.** Subsection 3-12(c)(24) is hereby amended to add “off-site” to the name of the Land Clearing Debris Disposal Facility conditional use in the Agricultural District (Zone AG) zoning district as follows:

- (24) Land Clearing Debris Off-Site Disposal Facility ~~(Amended 6/98 Ord. 98-27)~~

**Section 6.** Subsection 3-28(c)(3) is hereby amended to add “off-site” to the name of the Land Clearing Debris Disposal Facility conditional use in the Industrial Select (Zone IS) zoning district as follows:

- (3) Land Clearing Debris Off-Site Disposal Facility ~~(Amended 6/98 Ord. 98-27)~~

**Section 7.** Subsection 3-29(c)(4) is hereby amended to add “off-site” to the name of the Land Clearing Debris Disposal Facility conditional use in the Light Industrial (Zone IA) zoning district as follows:

- (4) Land Clearing Debris Off-Site Disposal Facility ~~(Amended 6/98 Ord. 98-27)~~

**Section 8.** Subsection 3-30(c)(5) is hereby amended to add “off-site” to the name of the Land Clearing Debris Disposal Facility conditional use in the Heavy Industrial (Zone IB) zoning district as follows:

- (5) Land Clearing Debris Off-Site Disposal Facility ~~(Amended 6/98 Ord. 98-27)~~

**Section 9.** Subsection 3-32(l)(1) is hereby amended to add “off-site” to the name of the Land Clearing Debris Disposal Facility conditional use in the Planned Industrial Development District (Zone PID) zoning district as follows:

- (1) Land Clearing Debris Off-Site Disposal Facility ~~(Amended 6/98 Ord. 98-27)~~

**Section 10.** Subsection 3-36(c)(4) is hereby amended to add “off-site” to the name of the Land Clearing Debris Disposal Facility conditional use in the Public Ownership (Zone PO-3) zoning district as follows:

(4) Land Clearing Debris Off-Site Disposal Facility permitted only in Agricultural, ~~Commercial~~, Mining, and Industrial ~~Agricultural/Residential~~ land use categories.  
(~~Amended 6/98 — Ord. 98-27~~)

**Section 11.** Subsection 3-37(c)(4) is hereby amended to add “off-site” to the name of the Land Clearing Debris Disposal Facility conditional use in the Public Ownership (Zone PO-4) zoning district as follows:

(4) Land Clearing Debris Off-Site Disposal Facility permitted only in Agricultural, ~~Commercial~~, Mining, and Industrial ~~Agricultural/Residential~~ land use categories.  
(~~Amended 6/98 — Ord. 98-27~~)

**Section 12.** Subsection 3-39(c)(6) is hereby amended to add “off-site” to the name of the Land Clearing Debris Disposal Facility conditional use in the Private Services (Zone PS-2) zoning district as follows:

(6) Land Clearing Debris Off-Site Disposal Facility permitted only in Agricultural, ~~Commercial~~, Mining, and Industrial ~~Agricultural/Residential~~ land use categories.

**Section 13.** Subsection 3-42(d)(3) is hereby amended to add “off-site” to the name of the Land Clearing Debris Disposal Facility conditional use in the Excavation (Zone EX) zoning district as follows:

(3) Land Clearing Debris Off-Site Disposal Facility (~~Amended 6/98 — Ord. 98-27~~)

**Section 14.** Subsection 3-13(c)(17) is hereby amended to remove the following Conditional Use in the Agricultural/Residential District (AR) zoning district and renumber the remaining conditional uses accordingly:

...

(17) ~~Land Clearing Debris Disposal Facility (Amended 6/98 — Ord. 98-27)~~

**Section 15.** Subsection 3-14(c)(8) is hereby amended to remove the following Conditional Use in the Country Estates District (AR-1) zoning district and renumber the remaining conditional uses accordingly:

(8) ~~Land Clearing Debris Disposal Facility (Amended 6/98 — Ord. 98-27)~~

**Section 16.** Subsection 3-15(c)(8) is hereby amended to remove the following Conditional Use in the Rural Estates District (Zone AR-2) zoning district and renumber the remaining conditional uses accordingly:

~~(8) — Land Clearing Debris Disposal Facility (Amended 6/98 — Ord. 98-27)~~

**Section 17.** Subsection 3-22(c)(3) is hereby amended to remove the following Conditional Use in the Commercial and Professional Office District (Zone BA-2) zoning district and renumber the remaining conditional uses accordingly:

~~(3) — Land Clearing Debris Disposal Facility (Amended 6/98 — Ord. 98-27)~~

**Section 18.** Subsection 3-23(c)(3) is hereby amended to remove the following Conditional Use in the Light Neighborhood Business District (Zone BA-1) zoning district and renumber the remaining conditional uses accordingly:

~~(3) — Land Clearing Debris Disposal Facility (Amended 6/98 — Ord. 98-27)~~

**Section 19.** Subsection 3-24(d)(6) is hereby amended to remove the following Conditional Use in the Neighborhood Business District (Zone BA) zoning district and renumber the remaining conditional uses accordingly:

~~(6) — Land Clearing Debris Disposal Facility (Amended 6/98 — Ord. 98-27)~~

**Section 20.** Subsection 3-25(c)(14) is hereby amended to remove the following Conditional Use in the Intermediate Business District (Zone BB) zoning district and renumber the remaining conditional uses accordingly:

~~(14) — Land Clearing Debris Disposal Facility (Amended 6/98 — Ord. 98-27)~~

**Section 21.** Subsection 3-26(c)(7) is hereby amended to remove the following Conditional Use in the Light Intermediate Business District (Zone BB-1) zoning district and renumber the remaining conditional uses accordingly:

~~(7) — Land Clearing Debris Disposal Facility (Amended 6/98 — Ord. 98-27)~~

**Section 22.** Subsection 3-26.1(c)(7) is hereby amended to remove the following Conditional Use in the Community Business District (Zone BB-2) zoning district and renumber the remaining conditional uses accordingly:

~~(7) — Land Clearing Debris Disposal Facility.~~

**Section 23.** Subsection 3-26.2(c)(3) is hereby amended to remove the following Conditional Use in the Specialty Business District Zone (Zone BB-3) zoning district and renumber the remaining conditional uses accordingly:

~~(3) — Land Clearing Debris Disposal Facility.~~

**Section 24.** Subsection 3-26.3(c)(4) is hereby amended to remove the following Conditional Use in the Heavy Business District (Zone BB-4) zoning district and renumber the remaining conditional uses accordingly:

~~(4) — Land Clearing Debris Disposal Facility.~~

**Section 25.** Subsection 3-26.4(c)(8) is hereby amended to remove the following Conditional Use in the Commercial Recreation District (Zone BB-5) zoning district and renumber the remaining conditional uses accordingly:

~~(8) — Land Clearing Debris Disposal Facility.~~

**Section 26.** Subsection 3-27(c)(4) is hereby amended to remove the following Conditional Use in the Shopping Center District (Zone BSC) zoning district as follows:

~~(4) — Land Clearing Debris Disposal Facility (Amended 6/98 — Ord. 98-27)~~

**Section 27.** Subsection 3-30.1(e)(2) is hereby amended to strike the following Conditional Use in the Business Park (Zone BP) zoning district and renumber the remaining conditional uses accordingly:

~~(2) — Land clearing debris disposal facilities (temporary).~~

**Section 28.** Subsection 3-31(l)(1) is hereby amended to remove the following Conditional Use in the Planned Commercial District (Zone PCD) zoning district and renumber the remaining conditional uses accordingly:

~~(1) — Land Clearing Debris Disposal Facility.~~

**Section 29.** Subsection 3-33(m)(1) is hereby amended to remove the following Conditional Use in the Planned Unit Development (Zone PUD) zoning district and renumber the remaining conditional uses accordingly:

~~(1) — Land Clearing Debris Disposal Facility. (Amended 6/98 — Ord. 98-27)~~

**Section 30.** Subsection 3-34(c)(3) is hereby amended to strike the following Conditional Use in the Public Ownership (Zone PO-1) zoning district and renumber the remaining conditional uses accordingly:

~~(3) Land Clearing Debris Disposal Facility permitted only in Agricultural, Commercial, Mining, and Agricultural/Residential land use categories.~~

**Section 31.** Subsection 3-35(c)(3) is hereby amended to remove the following Conditional Use in the Public Ownership (Zone PO-2) zoning district and renumber the remaining conditional uses accordingly:

~~(3) Land Clearing Debris Disposal Facility permitted only in Agricultural, Commercial, Mining, and Agricultural/Residential land use categories. (Amended 6/98 Ord. 98-27)~~

**Section 32.** Subsection 3-38(c)(1) is hereby amended to remove the following Conditional Use in the Private Services (Zone PS-1) zoning district and renumber the remaining conditional use accordingly:

~~(1) Land Clearing Debris Disposal Facility permitted only in Agricultural, Commercial, Mining, and Agricultural/Residential land use categories. (Amended 6/98 Ord. 9827)~~

**Section 33.** Subsection 3-40(c)(1)(iii) is hereby amended to remove the following Conditional Use in the Private Services (Zone PS-3) zoning district and renumber the remaining conditional uses accordingly:

~~(iii) Land Clearing Debris Disposal Facility permitted only in Agricultural, Commercial, Mining, and Agricultural/Residential land use categories. (Amended 6/98 Ord. 98-27)~~

**Section 34.** Subsection 3-41(c)(3) is hereby amended to remove the following Conditional Use in the Private Services (Zone PS-4) zoning district and renumber the remaining conditional uses accordingly:

~~(3) Land Clearing Debris Disposal Facility permitted only in Agricultural, Commercial, Mining, and Agricultural/Residential land use categories. (Amended 6/98 Ord. 9827)~~

**Section 35.** Subsection 3-41.1(e)(2) is hereby amended to remove the following Conditional Use in the Private Services (Zone PS-5) zoning district and renumber the remaining conditional uses accordingly:

~~(2) Land Clearing Debris Disposal Facility permitted only in Agricultural, Commercial, Mining, and Agricultural/Residential land use categories. (Amended 6/98 - Ord. 9827)~~

**Section 36.** If any section, phrase, sentence or portion of the Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 37.** This Ordinance shall take effect as provided by Florida general law.

**DULY ADOPTED** by the Board of County Commissioners of Clay County, Florida, this \_\_\_\_\_ day of March, 2024.

BOARD OF COUNTY COMMISSIONERS  
OF CLAY COUNTY, FLORIDA

By: \_\_\_\_\_  
Jim Renninger, Its Chairman

ATTEST:

By: \_\_\_\_\_  
Tara S. Green,  
Clay County Clerk of Court and Comptroller  
Ex Officio Clerk to the Board



Agenda Item  
PLANNING COMMISSION

Clay County Administration Building  
Tuesday, March 5 5:00 PM

TO:                      DATE:

FROM:

SUBJECT:

AGENDA  
ITEM  
TYPE:

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