



PLANNING COMMISSION MEETING

January 3, 2017

7:00 PM

Clay County Administration Building, 4Floor, BCC Meeting Room

Call to Order

Pledge of Allegiance

1. **Approval of Minutes**

Approval of Minutes for December 6, 2016

Approval of Minutes for December 6, 2016

Public Comment

Public Hearings

1. Public Hearing to Consider an Ordinance Placing a Temporary Moratorium on Medical Marijuana Treatment Centers and Licensed Dispensing Organizations

On November 8, 2016, Florida voters approved an amendment to the Florida Constitution titled "Use of Marijuana for Debilitating Medical Conditions" (Amendment 2). This amendment legalizes the medical use of marijuana and/or cannabis ("marijuana") throughout the State of Florida for individuals with debilitating medical conditions as determined by a licensed Florida physician and authorizes the registration and regulation of centers that acquire, produce, and distribute marijuana for medical purposes.

The Board, at its meeting on October 25, 2016, directed staff to proceed with the drafting of an ordinance to impose a temporary moratorium on medical marijuana treatment centers and licensed dispensing organizations. The ordinance is attached for your consideration.

2. Public Hearing to Consider Amendment to the Land Development Code to Add Rural Event Center as a Conditional Use with Conditions

This is a public hearing to consider an amendment to the Land Development Code to add Rural Event Center as a Conditional Use with conditions. At the December 13, 2016 Board of County Commissioners meeting, the Board voted unanimously to rescind Article III, Section 3-5, Subsection (bf), thereby deleting Rural Event Centers as a conditional use, and instructed staff to provide alternative language. The Board was concerned about the level of scrutiny for Rural Event Centers and the potential for siting of this conditional use that could be incompatible with surrounding properties.

3. Public Hearing to Consider an Amendment to the Branran Field Land Development Regulations to Revise the Provisions for Existing Agricultural Properties

The Branran Field Land Development Regulations (LDRs) provide general standards for parcels zoned for residential and nonresidential use prior to the adoption of the Branran

Field Plan. The LDRs do not, however, address properties zoned for agricultural use prior to the adoption of the Plan.

4. Public Hearing to Consider Application Z-16-15 AG to EX Anderson Columbia Mine
Public Hearing to Consider Application Z-16-15 AG to EX Anderson Columbia Mine
Located within the Highland Area of Clay County.
5. Public Hearing to Consider CPA 2016-06, Drees Homes, Continued from October 4, 2016 Meeting
The Applicant has requested CPA 2016-06 be withdrawn from the January 3, 2017 Planning Commission Agenda.
6. Public Hearing to Consider CPA 2016-11, Removal of Greenbelt within Lake Asbury Master Plan
Amend the Lake Asbury Master Plan to remove the Greenbelt designation on a parcel of land located on Sandridge Road west of Feed Mill Road.
7. Public Hearing to Consider Large Scale Amendment 2016-10, Prosser, to Amend Policy 4.4 Branran Field Rural Suburb and to Amend the Branran Field Master Plan Map, the Future Land Use Map Series and the Public School Facilities Element
The applicant has requested that this item be withdrawn.
8. Public Hearing to Consider Code Change 2016-05
Amend the Lake Asbury Land Development Regulations Paragraph 6 relating to Village Centers to modify the size and location of commercial uses and to modify Paragraph 13 of Subsection C with regard to entrances to subdivisions.
9. Public Hearing to Consider Code Change 2016-06, Branran Field Master Plan
Amend the Branran Field Master Plan Land Development Regulations to revise the lot size variety requirements in the Village Zone and Suburban Zone districts.

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, January 3 7:00 PM

TO: Planning
Commission

DATE: 12/13/2016

FROM: Teresa Capo

SUBJECT: Approval of Minutes for December 6, 2016

AGENDA ITEM
TYPE:

BACKGROUND INFORMATION:

N/A

ATTACHMENTS:

Description	Type	Upload Date	File Name
Planning Commission Minutes for 12-06- 16	Backup Material	12/13/2016	PC_Minutes_Packet_12- 06-16.pdf



PLANNING COMMISSION MINUTES

December 6, 2016

7:00 PM

Clay County Administration Building/Board of County
Commissioners Meeting Room

Call to Order

Present:

Joe Anzalone, Chairman
Belinda Johnson, Vice Chairman
Richard Fain
Scott Westervelt
James Fossa, CCSB
Major Ryan Leonard, Camp Blanding

Absent:

Marsha Dumler
Michael Bourré

Staff Present:

Courtney Grimm, County Attorney
Ed Lehman, Director of Planning & Zoning
Chad Williams, Zoning Chief
Teresa Capo, Recording Secretary

1. **Approval of Minutes**

Vice Chairman Johnson made the motion to approve the minutes for November 1, 2016. Commissioner Westervelt seconded the motion which carried 5-0.

Public Comment

Jason O'Neil, Tuff Shed Inc., Orange Park, addressed the Commission and requested that the County consider changing its Building Code to allow sheds of up to 160 square feet be exempt from the permitting process in Clay County.

Public Hearings

1. **Public Hearing to Consider Rezoning Application Z-16-13 PS-1 to RB**

Chad Williams, Zoning Chief, informed the Commission of Application Z-16-13, which is a change in zoning from PS-1 (Private Services District) to RB (Single Family Residential District) for uses permitted within an area consisting primarily of single family homes.

Following his presentation, Mr. Williams recommended approval of the application.

Chairman Anzalone opened the public hearing.

Anthony Gorla, Applicant, 2160 Autumn Cove Circle, Fleming Island, addressed the Commission with regard to the proposed application and stated that he was available for questions.

Julie Gottlieb, 3799 Bedford Drive, Middleburg, asked questions about the proposed development and expressed concern with the possibility of having the entrance into the development be routed thru the Boxxwood Subdivision.

Chairman Anzalone closed the public hearing.

Mr. Gorla responded to questions posed during the public hearing and stated that the only legal access provided for the proposed development is thru the Boxxwood Subdivision, which they are planning on utilizing.

Following a brief discussion, Commissioner Westervelt made the motion to recommend approval of the rezoning, to include staff comments and recommendations, along with their findings and conclusions. Commissioner Fain seconded the motion which carried 5-0.

Old Business/New Business

1. Discussion Concerning an Ordinance Placing a Temporary Moratorium on Medical Marijuana Treatment Centers and Licensed Dispensing Organizations

Courtney Grimm, County Attorney, informed the Commission that at the Board of County Commissioners' October 25, 2016 meeting, staff was directed to proceed with the drafting of an ordinance to impose a temporary moratorium on medical marijuana treatment centers and licensed dispensing organizations. Ms. Grimm stated that the ordinance will be presented to the Planning Commission for consideration at their January 3, 2017 meeting.

Brief discussion followed.

Chairman Anzalone opened the public hearing.

Richard Klinzman, 1985 Timucua Trail, Middleburg, addressed the Commission and asked that they consider denial of the BCC's ordinance that would impose a moratorium on medical marijuana treatment centers and licensed dispensing organizations.

Brief comments followed by the Commission.

No action was taken.

2. Schedule of Public Workshops to Address Evaluation and Appraisal Report

Ed Lehman, Director of Planning & Zoning, informed the Commission of a series of community workshops that will be held to allow members of the community the opportunity to identify and discuss the major issues affecting the County. Mr. Lehman stated that all the workshops will be held at 6:00 P.M. and encouraged members of the community to attend the meetings.

Public Comment

No public comments were received.

There being no further business, the meeting was adjourned at 7:37 P.M.

Approved: _____

Joe Anzalone
Chairman

Teresa Capo
Recording Secretary



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, January 3 7:00 PM

TO: Planning Commission

DATE: 12/12/2016

FROM: Holly R. Coyle

SUBJECT:

On November 8, 2016, Florida voters approved an amendment to the Florida Constitution titled "Use of Marijuana for Debilitating Medical Conditions" (Amendment 2). This amendment legalizes the medical use of marijuana and/or cannabis ("marijuana") throughout the State of Florida for individuals with debilitating medical conditions as determined by a licensed Florida physician and authorizes the registration and regulation of centers that acquire, produce, and distribute marijuana for medical purposes.

The Board, at its meeting on October 25, 2016, directed staff to proceed with the drafting of an ordinance to impose a temporary moratorium on medical marijuana treatment centers and licensed dispensing organizations. The ordinance is attached for your consideration.

AGENDA ITEM TYPE:

ATTACHMENTS:

Description	Type	Upload Date	File Name
▣ PCmemo121316	Cover Memo	12/13/2016	PC_Memo_121316.pdf
▣ Moratorium Ordinance	Cover Memo	12/13/2016	Moratorium_Ordinance_11616.pdf



**Department of Economic
and Development Services**

Memorandum

To: Planning Commission
From: Holly Coyle, Economic and Development Services Director
Date: December 13, 2016
Re: Public Hearing to consider an ordinance placing a temporary moratorium on medical marijuana treatment centers and licensed dispensing organizations

Issue: Moratorium on Medical Marijuana Treatment Centers and Licensed Dispensing Organizations

Background: On November 8, 2016, Florida voters approved an amendment to the Florida Constitution titled “Use of Marijuana for Debilitating Medical Conditions” (Amendment 2). This amendment legalizes the medical use of marijuana and/or cannabis (“marijuana”) throughout the State of Florida for individuals with debilitating medical conditions as determined by a licensed Florida physician and authorizes the registration and regulation of centers that acquire, produce, and distribute marijuana for medical purposes.

The use of low THC marijuana is already lawful in Florida under limited circumstances by virtue of the legislature’s enactment of Florida Statutes, Section 381.986, titled the “Compassionate use of local-THC and medical cannabis.” This law was enacted in 2014 to authorize qualified physicians to order low-THC cannabis or medical cannabis for qualified patients diagnosed with certain medical conditions. As a result, the Florida Department of Health’s Office of Compassionate Use was established and charged with overseeing the regulatory infrastructure for the delivery of medical cannabis to patients throughout the State. The passing of amendment 2 has the effect of making medical marijuana available for a wider group of medical conditions. With increased numbers of patients, legal medical marijuana dispensaries may seek to locate within the County.

Due to the historic and longstanding legal prohibition of marijuana prior to enactment of Florida Statutes, Section 381.986, the Clay County Land Development Regulations do not address the use of real property for the purposes of cultivating, processing, distributing, or lawfully selling medical marijuana, low-THC cannabis, or related activities.

In light of the passing of Amendment 2, if a licensed dispensing organization should seek to operate within the County, the County will need sufficient time to research, study, and analyze the potential impact and compatibility of medical marijuana treatment centers or approved

dispensing organizations upon adjacent land uses and the surrounding areas, traffic, congestion, surrounding property values, demand for County services and other aspects of the public safety and welfare to determine what uses are best suited for particular zoning categories and how best to formulate land development regulations that appropriately govern the use of real property for purposes of cultivation, processing, distribution, or selling marijuana or related activities to qualified patients.

This item was submitted to the Board of County Commissioners for discussion. The Board, at its meeting on October 25, 2016, directed staff to proceed with the drafting of an ordinance to impose a temporary moratorium on medical marijuana treatment centers and licensed dispensing organizations. The ordinance is attached for your consideration.

Recommendation: Approval of the ordinance as presented.

ORDINANCE NO. 2016/17-

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE OPERATION OF MEDICAL MARIJUANA TREATMENT CENTERS AND LICENSED DISPENSING ORGANIZATIONS WITHIN CLAY COUNTY, FLORIDA, FOR A PERIOD OF ONE (1) YEAR UNLESS RESCINDED OR EXTENDED BY A SUBSEQUENT ORDINANCE, OR BY A SUBSEQUENT AMENDMENT TO THE COUNTY'S LAND DEVELOPMENT REGULATIONS REGARDING THE REGULATION OF MARIJUANA TREATMENT CENTERS AND LICENSED DISPENSING ORGANIZATIONS; PROVIDING FOR REPEALER, SEVERABILITY, AND IMMEDIATE EFFECTIVE DATE.

WHEREAS, Florida Statutes, Section 381.986, titled the "Compassionate use of local-THC and medical cannabis," authorizes qualified physicians to order low-THC cannabis or medical cannabis for qualified patients diagnosed with certain medical conditions; and

WHEREAS, the Florida Department of Health's Office of Compassionate Use has recently been established and charged with overseeing the regulatory infrastructure for medical cannabis in the State; and

WHEREAS, on November 8, 2016, Florida voters considered an amendment to the Florida Constitution, titled "Use of Marijuana for Debilitating Medical Conditions" ("Amendment 2"); and

WHEREAS, Amendment 2 was approved legalizing the medical use of marijuana and/or cannabis ("marijuana") throughout the State of Florida for individuals with debilitating medical conditions as determined by a licensed Florida physician and authorizing the registration and regulation of centers that acquire, produce and distribute marijuana for medical purposes; and

WHEREAS, due to the historic and longstanding legal prohibition of marijuana prior to enactment of Florida Statutes, Section 381.986 and approval of Amendment 2, the Land Development Regulations of Clay County (the "County") do not address the use of real property for purposes of cultivating, processing, distributing or selling medical marijuana, low-THC cannabis, or related activities, and such uses of real property have historically not existed within the County; and

WHEREAS, in order to promote effective and responsible land use planning within the County due to the approval of Amendment 2 by Florida voters, or if a Licensed Dispensing Organization should seek to operate within the County, the Clay County Board of County Commissioners (the "Board") wishes to allow for sufficient time to research, study, and analyze the potential impact of Medical Marijuana Treatment Centers or approved Dispensing Organizations upon adjacent uses and the surrounding areas, traffic, congestion, surrounding

property values, demand for County services and other aspects of the public safety and welfare; and

WHEREAS, the Board finds that a temporary moratorium on the operation of Medical Marijuana Treatment Centers and approved Dispensing Organizations will allow the County a sufficient period of time to determine what uses are best suited to particular zoning categories and how best to formulate land development regulations that appropriately govern the use of real property for purposes of cultivation, processing, distributing or selling marijuana or related activities.

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

Section 1. Moratorium Imposed. A temporary moratorium is hereby imposed on the operation of Medical Marijuana Treatment Centers and Licensed Dispensing Organizations within Clay County, Florida. While the temporary moratorium is in effect, the County shall not accept, process, or approve any application relating to the operation of a Medical Marijuana Treatment Center or Licensed Dispensing Organization. Nothing in this temporary moratorium shall be construed to prohibit the medical use of marijuana or low-THC cannabis by a qualifying patient, as determined by a licensed Florida physician, pursuant to Amendment 2, Florida Statutes, Section 381.986, or other Florida law.

Section 2. Definitions. For purposes of the temporary moratorium:

- A) “Medical Marijuana Treatment Center” means an entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers and is registered by the Florida Department of Health.
- B) “Licensed Dispensing Organization” means an organization approved by the Florida Department of Health’s Office of Compassionate Use to cultivate, process and dispense low-THC cannabis and medical cannabis pursuant to Florida Statutes, Section 381.986.

Section 3. REPEALER. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 4. SEVERABILITY. If any section, phrase, sentence or portion of this 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 hereof.

Section 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption. The temporary moratorium enacted by this Ordinance shall terminate one (1)

year from the effective date of this Ordinance, unless rescinded or extended by subsequent Ordinance or by an amendment to the County's Land Development Regulations addressing the use of real property for purposes of cultivating, processing, distributing or selling medical marijuana, low-THC cannabis or related activities.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of January, 2017.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

By: _____
Its Chairman

ATTEST:

S. C. Kopelousos
County Manager and Clerk of the
Board of County Commissioners



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, January 3 7:00 PM

TO: Planning Commission

DATE: 12/20/2016

FROM: Ed Lehman

SUBJECT: This is a public hearing to consider an amendment to the Land Development Code to add Rural Event Center as a Conditional Use with conditions. At the December 13, 2016 Board of County Commissioners meeting, the Board voted unanimously to rescind Article III, Section 3-5, Subsection (bf), thereby deleting Rural Event Centers as a conditional use, and instructed staff to provide alternative language. The Board was concerned about the level of scrutiny for Rural Event Centers and the potential for siting of this conditional use that could be incompatible with surrounding properties.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

On February 23, 2016, the Board approved an Ordinance that established Rural Event Centers as a conditional use. However, subsequent to the adoption of the new Rural Event Center conditional use, the Board was made aware of plans for a Rural Event Center in the Melrose area of the County, which generated much opposition from residents of the neighboring parcels. Recognizing that the Rural Event Center Conditional Use could result in incompatible land use adjacent to residential areas, the Board voted to rescind the conditional use. At the Board's recommendation, staff is providing an updated Rural Event Center conditional use for consideration in the attached resolution.

ATTACHMENTS:

Description	Type	Upload Date	File Name
▣ Staff memo	Cover Memo	12/20/2016	PC_Memo_-_New_Rural_Event_Center.pdf
▣ Proposed Ordinance	Ordinance	12/21/2016	1st_amdt_12-16_clean1.doc



**Department of Economic
and Development Services**

Memorandum

To: Planning Commission

From: Edward Lehman, Director of Planning and Zoning

Date: January 3, 2017

Re: Public Hearing to Consider Amendment to the Land Development Code to Add Rural Event Center as a Conditional Use with Conditions

Issue: At the December 13, 2016 Board of County Commissioners meeting, the Board voted unanimously to rescind Article III, Section 3-5, Subsection (bf), thereby deleting Rural Event Centers as a conditional use, and instructed staff to provide alternative language. The Board was concerned about the level of scrutiny for Rural Event Centers and the potential for siting of this conditional use that could be incompatible with surrounding properties.

Background: On February 23, 2016, the Board approved an Ordinance that established Rural Event Centers as a conditional use. Rural Event Centers were to be allowed in lands zoned AG and AR, as well as land zoned Rural Community in the Lake Asbury Master Plan and lands designated as Rural Suburbs in the Branan Field Master Plan. The conditions placed on this land use were:

- The parcel had to be 3.5 acres or greater
- All parking required on-site
- No event could be conducted that violated the Noise Ordinance.

Subsequent to the adoption of the new Rural Event Center conditional use, the Board was made aware of plans for a Rural Event Center in the Melrose area of the County, which generated much opposition from residents of the neighboring parcels. Recognizing that the Rural Event Center Conditional Use could result in incompatible land use adjacent to residential areas, the Board voted to rescind the conditional use. At the Board's recommendation, staff is providing an updated Rural Event Center conditional use for consideration in the attached resolution.

In brief, the proposed resolution provide conditions that differ from the rescinded version of the conditional use as follows:

- Any proposed Rural Event Center must go through Planned Unit Development (PUD) review. In the case of a proposed Rural Event Center in the Branan Field Master Plan or in the Lake Asbury Master Plan, a proposed Rural Event Center must go through a plan review consistent with the PUD requirements.
- No structure may be located closer than 50 feet from a property line.
- The parcel is subject to buffer from adjacent residential land consistent with the buffers established for general commercial land use in the Tree Protection and Landscaping Standards Code.
- The Rural Event Center Conditional use can be proposed and approved in any land use category in the County.
- The parcel must be at least 3.5 acres if it contains both residential and non-residential land uses; it shall be at least 10 acres if it only contains non-residential land use.

Recommendation: Staff believes that the proposed resolution addresses the Boards concerns about the potential for development of a Rural Event Center incompatible with surrounding parcels. Staff recommends approval of the proposed ordinance to amend the Land Development Code to establish Rural Event Centers as a Conditional Use to include recommended conditions and development criteria for their approval.

ORDINANCE NO. 2017-____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, REPEALING IN ITS ENTIRETY CLAY COUNTY ORDINANCE 2016-10; AMENDING SEC. 3-5 OF ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, BEING THE CODIFICATION OF ORDINANCE NO. 93-16, AND COMPRISING THE ZONING AND LAND USE LAND DEVELOPMENT REGULATIONS, AS SAID ARTICLE III HAS BEEN SUBSEQUENTLY AMENDED BY ORDINANCE, WHICH SEC. 3-5 PROVIDES FOR CONDITIONAL USES, BY CREATING NEW SUBSECTION (bg) THEREOF TO ESTABLISH THE RURAL EVENT CENTER AS A CONDITIONAL USE, AND TO PROVIDE THEREIN FOR DEFINITIONS; FOR CONDITIONS AND RESTRICTIONS APPLICABLE TO THE OPERATION OF A RURAL EVENT CENTER AND REQUIRING AN APPLICATION FOR AND THE RECEIPT OF A PLANNED UNIT DEVELOPMENT (PUD) ZONING DESIGNATION; PROVIDING FOR THE REDESIGNATION OF CURRENT SUBSECTIONS (bg) THROUGH (bp) OF SAID SECTION 3-5 AS SUBSECTIONS (bh) THROUGH (bq); ADDING SECTIONS 3-9(a)(6) AND 3-9(o)(3) OF ARTICLE III, WHICH PROVIDES FOR ZONING DISTRICT AND LAND USE CATEGORY CONSISTENCY, TO ADD PUD AS A ZONING DISTRICT THAT IS PERMISSIBLE IN THE AGRICULTURE LAND USE CATEGORY AND THE BUSINESS PARK LAND USE CATEGORY, RESPECTIVELY; AMENDING THE FOLLOWING PROVISIONS OF SECTION 20.3-33A IN SAID ARTICLE III: SUBSECTION b. OF SECTIONS 1, 2 AND 3 OF PART II ,SUBSECTION b. OF SECTIONS 2, 3 AND 4 OF PART III, AND ADDING NEW SUBPARAGRAPH 6.a.v.H. TO SECTION 6 OF PART III AND ADDING NEW SUBSECTION b. TO SECTION 7 OF PART III, IN ORDER TO ADD RURAL EVENT CENTER AS A CONDITIONAL USE IN ALL BRANAN FIELD LAND USES AND TO REQUIRE NOTICE AND A PUBLIC HEARING AS PART OF THE DEVELOPMENT APPROVAL OF SAME; AMENDING SUBPARAGRAPH b. OF PARAGRAPHS 1 THROUGH 6 OF SUBSECTION B OF SECTION 20.3-33B OF SAID ARTICLE III TO ADD RURAL EVENT CENTER AS A CONDITIONAL USE IN ALL LAKE ASBURY ZONING DISTRICT CATEGORIES AND TO REQUIRE NOTICE AND A PUBLIC HEARING AS PART OF THE DEVELOPMENT APPROVAL OF SAME; PROVIDING A DEFINITION OF THE TERM ARTICLE III; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Clay County Ordinance 2016-10, adopted February 23, 2016, which created the conditional use regarding rural event centers is hereby repealed in its entirety.

Section 2. As used throughout this Ordinance, the term “Article III” shall mean and refer to Article III of the Clay County Land Development Code, being the codification of Ordinance 93-16 and comprising the Zoning and Land Use Land Development Regulations, as said Article III has been subsequently amended by ordinance.

Section 3. Section 3-5 of Article III, which provides for conditional uses, is hereby amended by the creation of a new subsection thereof to be designated subsection (bg), to be inserted immediately following subsection (bf) thereof, and to read in its entirety as follows:

(bg) *Rural Event Center.*

- (1) For purposes of this subsection, a Rural Event Center shall mean a venue that facilitates the congregation of people in exchange for remuneration for events that include weddings, family reunions, class reunions, company retreats and picnics, or other similar events or celebrations located on land within the following Land Use categories as defined in the Clay County Comprehensive Plan: Agricultural; Agricultural/Residential; Rural Residential; Rural Fringe Residential; Urban Fringe Residential; Urban Core Residential; Commercial; Industrial; Planned Community; Rural Reserve; Mixed Land; Business Park, and Industrial Park; and on all the land in the Branan Field and Lake Asbury Master Plan areas with the exception of conservation and institutional uses.,
- (2) The parcel shall not be less than three and one-half (3.5) contiguous acres in size if it contains both residential and non-residential uses. Notwithstanding anything else to the contrary in Article III, the parcel shall be a minimum of 10 contiguous acres in size if it contains only non-residential uses.
- (3) All parking for each event shall be on-site only. Off-site parking is prohibited.
- (4) No event shall be conducted in a manner that would constitute a violation of Section 15-5 of the Clay County Code.
- (5) All structures, permanent and/or temporary structures such as tents, stages and dance floors, shall be limited to the areas designated for such purpose on the approved site plan for the permit, shall not be located any closer than fifty feet from a property line, and must be separately permitted if required under applicable regulations.
- (6) The parcel shall be subject to a buffer from adjacent residential land as determined by the application of the provisions for General Commercial contained in Article VI of the Clay County Land Development Code (the Tree Protection and Landscaping Standards.)

(7) For property not located within the Branan Field and Lake Asbury Master Plan areas, an applicant for the development of property as a Rural Event Center must first apply for and receive a rezoning to a Planned Unit Development designation. All applications shall be submitted and processed by the County in accord with Section 3-33 of Article III of the Clay County Land Development Code.

(8) For property located in the Branan Field and Lake Asbury Master Plan areas, all applications for the development of property as a Rural Event Center must first receive conceptual approval by the Clay County Board of County Commissioners. The application shall utilize the notice and public hearing process for a PUD rezoning contained in Section 3-33 of Article III of the Clay County Land Development Code in order to schedule a public hearing before the Board of County Commissioners on the application. The submission requirements shall also conform to the requirements of said Section 3-33. If the application, following a public hearing, receives conceptual approval, the application shall be submitted for general development review in accord with the applicable Branan Field or Lake Asbury Master Plan land development regulations for a final approval.

(9) *Intent and Purpose.* It is the purpose of this subsection to permit Rural Event Centers as planned unit developments which are intended to encourage the development of land as planned communities; encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic and functional open area; accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of the zoning district regulations in Article III; provide for the efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and to provide a stable environment character compatible with surrounding areas.

Section 4. Current subsections (bg) through (bp) of Section 3-5 of Article III are hereby redesignated as subsections (bh) through (bq).

Section 5. Section 3-9 of Article III, which provides for zoning district and land use category consistency, is hereby amended by the addition of paragraph (a)(6), to read as follows:

(a) Agriculture Land Use Category

(6) PUD: Planned Unit Development

Section 6. Section 3-9 of Article III, which provides for zoning district and land use category consistency, is hereby amended by the addition of paragraph (o)(3), to read as follows:

(o) Business Park Land Use Category

(3) PUD: Planned Unit Development

Section 7. Subsection b. of Section 1 of Part II of Section 20.3-33A of Article III, which subsection b. sets forth conditional uses in the Branan Field Rural Suburbs Land Use, is hereby amended by the addition of a new paragraph thereto, to be designated paragraph xii., to be inserted immediately following paragraph xi. thereof, and to read in its entirety as follows:

xii. Rural Event Center.

Section 8. Subsection b. of Section 2 of Part II of Section 20.3-33A of Article III, which subsection b. sets forth conditional uses in the Branan Field Master Planned Community Land Use, is hereby amended by the addition of a new paragraph thereto, to be designated paragraph vi., to be inserted immediately following paragraph v. thereof, and to read in its entirety as follows:

vi. Rural Event Center.

Section 9. Subsection b. of Section 3 of Part II of Section 20.3-33A of Article III, which subsection b. sets forth conditional uses in the Branan Field Traditional Neighborhood Development Land Use, is hereby amended by the addition of a new paragraph thereto, to be designated paragraph vi., to be inserted immediately following paragraph v. thereof, and to read in its entirety as follows:

vi. Rural Event Center.

Section 10. Subsection b. of Section 2 of Part III of Section 20.3-33A of Article III, which subsection b. sets forth conditional uses in the Branan Field Rural Activity Center Land Use, is hereby amended by the addition of a new paragraph thereto, to be designated paragraph ii., to be inserted immediately following paragraph i. thereof, and to read in its entirety as follows:

ii. Rural Event Center.

Section 11. Subsection b. of Section 3 of Part III of Section 20.3-33A of Article III, which subsection b. sets forth conditional uses in the Branan Field Community Center Land Use, is hereby amended by the addition of a new paragraph thereto, to be designated paragraph viii., to be inserted immediately following paragraph vii. thereof, and to read in its entirety as follows:

viii. Rural Event Center.

Section 12. Subsection b. of Section 4 of Part III of Sec. 20.3-33A of Article III, which subsection b. sets forth conditional uses in the Branan Field Activity Center Land Use, is hereby amended by the addition of a new paragraph thereto, to be designated paragraph viii., to be inserted immediately following paragraph vii. thereof, and to read in its entirety as follows:

viii. Rural Event Center.

Section 13. Subsection a. of Section 6 of Part III of Section 20.3-33A of Article III, which subsection sets forth Gateway uses in the Branan Field Mixed Use Land Use, is hereby amended by the addition of a new subparagraph to paragraph v. relating to conditional uses therein, to be designated subparagraph H., to be inserted immediately following subparagraph G. thereof, and to read in its entirety as follows:

H. Rural Event Center.

Section 14. Section 7 of Part III of Section 20.3-33A of Article III, which section relates to the Branan Field Rural Neighborhood Center Land Use, is hereby amended by the addition of a new subsection b. thereto, to be designated Conditional Use and to add a new paragraph therein to be designated paragraph i. and to read in its entirety as follows:

i. Rural Event Center.

Section 15. Paragraph b. of subsection 1. of Section B of Section 20.3-33B of Article III, which Paragraph b. sets forth conditional uses in the Lake Asbury Master Planned Community land use, is hereby amended by the addition of a new subparagraph thereto, to be designated subparagraph vi., to be inserted immediately following subparagraph v. thereof, and to read in its entirety as follows:

vi. Rural Event Center.

Section 16. Paragraph b. of subsection 2 of Section B of Section 20.3-33B of Article III, which Paragraph b. sets forth conditional uses in the Lake Asbury Rural Reserve land use, is hereby amended by the addition of a new subparagraph thereto, to be designated subparagraph vi., to be inserted immediately following subparagraph v. thereof, and to read in its entirety as follows:

vi. Rural Event Center.

Section 17. Paragraph b. of subsection 3 of Section B of Section 20.3-33B of Article III, which Paragraph b. sets forth conditional uses in the Lake Asbury Rural Community land use, is hereby amended by the addition of a new subparagraph thereto, to be designated subparagraph ix., to be inserted immediately following subparagraph viii. thereof, and to read in its entirety as follows:

ix. Rural Event Center.

Section 18. Paragraph b. of subsection 4 of Section B of Section 20.3-33B of Article III, which Paragraph b. sets forth conditional uses in the Rural Fringe land use, is hereby amended by the addition of a new subparagraph thereto, to be designated subparagraph v., to be inserted immediately following subparagraph iv. thereof, and to read in its entirety as follows:

v. Rural Event Center.

Section 19. Paragraph b. of subsection 5 of Section B of Section 20.3-33B of Article III, which Paragraph b. sets forth conditional uses in the Lake Asbury Activity Center land use, is hereby amended by the addition of a new subparagraph clause thereto, to be designated subparagraph vii., to be inserted immediately following subparagraph vi. thereof, and to read in its entirety as follows:

vii. Rural Event Center.

Section 20. Paragraph b. of subsection 6 of Section B of Section 20.3-33B of Article III, which Paragraph b. sets forth conditional uses in the Lake Asbury Village Center land use, is hereby amended by the addition of a new subparagraph thereto, to be designated subparagraph vi., to be inserted immediately following subparagraph v. thereof, and to read in its entirety as follows:

vi. Rural Event Center.

Section 21. Should any word, phrase, sentence, paragraph, subparagraph, subsection or section of this ordinance or of any of the amendments to Article III provided under this ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such word, phrase, sentence, paragraph, subparagraph, subsection or section shall be severed from this ordinance or said amendments to Article III, as applicable, and all other words, phrases, sentences, paragraphs, subparagraphs, subsections and sections shall remain in full force and effect.

Section 22. 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 January, 2017.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

By: _____
Wayne Bolla
Its Chairman

ATTEST:

S. C. Kopelousos
County Manager and Clerk of the
Board of County Commissioners

\ords\zoning\2015\rural events center\lst amdt 12-16 clean



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, January 3 7:00 PM

TO: Planning Commission

DATE: 12/19/2016

FROM: Holly Coyle

SUBJECT:

The Branan Field Land Development Regulations (LDRs) provide general standards for parcels zoned for residential and nonresidential use prior to the adoption of the Branan Field Plan. The LDRs do not, however, address properties zoned for agricultural use prior to the adoption of the Plan.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

See attached memorandum.

ATTACHMENTS:

	Description	Type	Upload Date	File Name
▣	Memorandum	Cover Memo	12/19/2016	PCC_Memo.pdf
▣	Ordinance	Ordinance	12/19/2016	Ordinance.docx



**Department of Economic
and Development Services**

Memorandum

To: Planning Commission
From: Holly Coyle, Economic and Development Services Director
Date: December 19, 2016
Re: Public hearing to consider an amendment to the Branran Field Land Development Regulations to revise the provisions for existing agricultural properties

Issue: The Branran Field Land Development Regulations (LDRs) provide general standards for parcels zoned for residential and nonresidential use prior to the adoption of the Branran Field Plan. The LDRs do not, however, address properties zoned for agricultural use prior to the adoption of the Plan.

Background: *Residential* land uses, developed lots of record, developments created prior to plan adoption, and properties identified on the Master Plan Map as Existing Suburbs are exempt from the requirements of the Branran Field LDRs.

Parcels with *nonresidential* zoning designations prior to adoption of the Master Plan may develop consistent with the uses identified in the zoning district at the time of Plan adoption.

While staff has interpreted this provision to be true for parcels zoned for agricultural use prior to Plan adoption, it is not specifically stated in the LDR document. For this reason, staff is proposing to amend the LDRs to add the provision that parcels zoned for agricultural use prior to the adoption of the Master Plan may also develop consistent with the uses identified in the zoning district at the time of Plan adoption.

Recommendation: Approval of the ordinance as presented.

ORDINANCE 2016/17-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING CERTAIN SECTIONS OF THE ZONING AND LAND USE LDRs TO WIT: REVISING SECTION 20.3-33A, WHICH SECTION PERTAINS TO THE BRANAN FIELD PLANNED UNIT DEVELOPMENT (BFPUD) LAND DEVELOPMENT REGULATIONS; REVISING SECTION IV TO AMEND THE PROVISIONS FOR EXISTING AGRICULTURAL PROPERTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Ordinance 93-16 which created Article III of the Clay County Land Development Code, said Article III being the Zoning and Land Use Land Development Code of Clay County, Florida; and

WHEREAS, on June 24, 2003, the Board adopted Ordinance 03-66, which amended the Clay County 2015 Comprehensive Plan by establishing the Branan Field Master Plan Goals, Objectives and Policies and Branan Field Master Plan Map; and,

WHEREAS, on March 23, 2004, the Board adopted Ordinance 04-18, which created Section 20.3-33A of the Zoning and Land Use LDRs by comprising the Branan Field Land Development Regulations; and,

WHEREAS, the zoning district known as the Branan Field Planned Unit Development (BFPUD) Zoning District provides land development regulations for certain lands within the Branan Field land use categories.

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

Section 1. Section IV, subsection 2, of Section 20.3-33A, of Article III, of the Clay County Land Development Code, Branan Field LDRs, is hereby added as follows:

2. Nonresidential. Existing nonresidential uses within the Branan Field Master Plan area at the time of Master Plan adoption shall be exempt from requirements of the Master Plan and LDRs. These properties shall be subject to provisions of the 2015 Comprehensive Plan, Zoning Code, and other applicable regulations in effect at the time of adoption of the Master Plan. However when expansion of such uses exceeds 1,000 square feet in size, new building and parking areas shall be subject to the LDRs.

Properties with zoning designations of AG, AR, BB, BB-1, BB-2, BB-3, BB-4, BB-5, PS-1, PS-2, PS-3, PS-4, PO-1, PO-2, PO-3, and PO-4 prior to adoption of the Master Plan may develop consistent with permitted and conditional uses identified in each of these zoning categories at the time of Master Plan adoption. However such uses must meet parking, landscaping, architectural, and other applicable standards of the LDRs. Finally, for areas that were under the PS-1, PS-2, PS-3, and PS-4 zoning districts prior to plan adoption and upon plan adoption were put into residential land use and zoning

where it is not feasible to designate such areas as Neighborhood Centers, applicants may obtain approval to expand from the Board of County Commissioners, providing that such use expansions will not result in a negative impact on adjacent residential uses due to reasons of traffic, noise, and other measures of intensity. Such expansions may not exceed the property and building area by more than two times.

Section 2. 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 3. This ordinance shall become effective as prescribed by Florida general law.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this ____ day of February, 2017.

**BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA**

BY: _____
Wayne Bolla
Its Chairman

ATTEST:

S.C. Kopelousos
County Manager and Clerk of the
Board of County Commissioners



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, January 3 7:00 PM

TO: Planning Commission

DATE: 12/20/2016

FROM: Chad A. Williams, Zoning
Chief

SUBJECT: Public Hearing to Consider Application Z-16-15 AG to EX Anderson Columbia Mine
Located within the Highland Area of Clay County.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

Applicant is requesting a change in zoning to expand the current borrow pit and allow for mining of sand for road construction.

ATTACHMENTS:

Description	Type	Upload Date	File Name
▣ Application	Backup Material	12/20/2016	Application.pdf
▣ Staff Report	Backup Material	12/20/2016	Z-16-15Staff_report(PC).pdf
▣ Ordinance	Ordinance	12/20/2016	Ordinance_Z-16-15.pdf
▣ Staff Presentation	Backup Material	1/10/2017	Jan_3__2017_PC.pptx



ANDERSON COLUMBIA CO., INC.

P.O. Box 1829 • Lake City, FL 32056 - 1829

(386) 752-7585 • (386) 755-5430 FAX

Mr. Ed Lehman
Division Director
Clay County Zoning Department
Ed.Lehman@claycountygov.com

Re: Comprehensive Plan Amendment Request
Zoning Amendment Request

Dear Mr. Lehman:

Please find attached proposed applications for amending the Clay County Comprehensive Plan and Zoning Code. In accordance with the Clay County Land Development Code I would like to request the required "Pre-Application Conference" be scheduled. The applications attached are for your review prior to the meeting. In addition, I have attached the required fees. If any adjustments to the fees are needed please advise. I look forward to meeting with you.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. McDougal', is written over the word 'Sincerely,'.

Joshua O. McDougal
386-623-2267
871 NW Guerdon St.
Lake City, FL. 32055

Rezoning Application



Owner Information

Name Anderson Columbia Co., Inc. If the property is under more than one ownership please use multiple property ownership sheets.

Address P.O. Box 1829

City Lake City State Florida Zip Code 32056-1829

Phone Number +1 (386) 752-7585 Email zeb.cheshire@andersoncolumbia.com

Parcel & Rezoning Information

Parcel Identification Number 32-04-23-000322-000-00

Address OFF US HWY 301

Number of Acres Being Rezoned 134.35 Current Zoning AG Current Land Use Agriculture

Proposed Zoning EX Excavation I am Seeking A ☒ Permitted Use ☐ Conditional Use

Property Will Be Used As a site for the excavation and removal of construction material

Required Attachments

Please Check The Following Included Attachments

- ☒ Deed ☒ Survey ☐ Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5
- ☒ Agents Authorization Attachment A-1 ☒ Owners Affidavit Attachment A-2 ☒ Legal Description Attachment A-3

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information. I hereby acknowledge that the zoning requested is my choice and have reviewed and agreed to all conditions listed in this application and the requirements in Article(s) I., III. and XII of the Clay County Code.

Brian P. Schreiber
 Owners Signature
Brian P. Schreiber
 Print Name

Date: 9/22/16

Official Use

Date Received 1-13-17 Application Number _____ OT Number _____

PC Date 1-3-17 BCC Date 1-24-17 2nd BCC Date if Applicable _____

Accepted By 

5 acres \$750.00 plus \$20.00 per sign. Greater than 5 acres, \$750.00, plus \$20.00 per acre over 5, plus \$20.00 per sign.

For PUD, PCD, PID the fee is \$2200.00 plus \$7.00 per acre plus \$20.00 for each required sign.

of Signs _____ Fee _____

Notices

The required SIGN(S) must be POSTED on the property BY THE APPLICANT 21 days in advance of the date of the first required public hearing . The sign(s) may be removed only after final action of the Board of County Commissioners and must be removed within 10 days of such action. The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 7 DAYS IN ADVANCE OF THE PUBLIC HEARING. Advertising costs are paid by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Zoning Division, prior to the public hearing.

Hearings are held in the County Commission Chambers on the Fourth Floor of the Clay County Administration Building, 477 Houston Street, Green Cove Springs, Florida. You or your authorized agent **must be present**. If there are members of the public who wish to testify regarding your petition, they are normally allowed three minutes.

If you decide to appeal any decision made by the Board of County Commissioners with respect to any matter considered at your rezoning hearing, you will need a record of the proceedings at your expense, and for such purpose **you should ensure that a verbatim record of the proceedings is made**, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida Times Union will be publishing your rezoning legal notices. You must pre-pay your legal advertisement fees. An affidavit must be paid before receiving proof of publication. Should a petition be withdrawn, legal advertising already published will not be refunded.

The rest of this space is intentionally left blank

CFN # 2016029005, OR BK: 3867 PG: 1467, Pages1 / 3, Recorded 6/15/2016 11:21 AM, Doc: D
TARA S. GREEN Clerk Circuit Court, Clay County, FL Rec: \$27.00 Doc D: \$0.70
Deputy Clerk HAMPSHIRET

This Instrument Prepared By:
Michael H. Harrell
Abstract & Title Services, Inc.
111 East Howard Street
Live Oak, Florida 32064

ATS# 1-37981

CORRECTIVE WARRANTY DEED

Limited Liability Company to Corporation

THIS CORRECTIVE WARRANTY DEED made this 13th day of June, 2016, 301 Land Investments, LLC, A Florida Limited Liability Company, hereinafter called the grantor, to Anderson Columbia Co., Inc. whose post office address is: 871 NW Guerdon St., Lake City, FL 32055, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of limited liability company and/or corporation)

WITNESSETH that the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the Grantee, all that certain land situate in CLAY County, Florida, viz:

See Exhibit "A" Attached Hereto and by this Reference Made a Part Hereof

This document is being recorded to correct the Legal description in that certain document dated May 12, 2016 and filed for record May 19, 2016 in OR Book 3859, Page 452, Public Records, Clay County, Florida

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2015.

BK: 3867 PG: 1468

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Vera Lisa Hicks
WITNESS

Vera Lisa Hicks
PRINTED NAME

Mary Lyons
WITNESS

MARY LYONS
PRINTED NAME

301 Land Investments, LLC

BY: Daniel Crapps
Daniel Crapps, as Managing Member

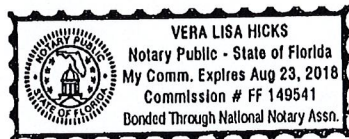
STATE OF FLORIDA
COUNTY OF Columbia

The foregoing instrument was acknowledged before me this 13 day of June, 2016 by Daniel Crapps, as Managing Member of 301 Land Investments, LLC personally known to me or, if not personally known to me, who produced PK for identification and who did not take an oath.

(SEAL)

Vera Lisa Hicks
NOTARY PUBLIC

My Commission Expires: 8-23-18



BK: 3867 PG: 1469

37981 wd301:andersoncol

EXHIBIT "A"

A parcel of land lying in Sections 5 and 6, Township 5 South, Range 23 East and in Sections 31 and 32, Township 4 South, Range 23 East, Clay County Florida, explicitly described as follows:

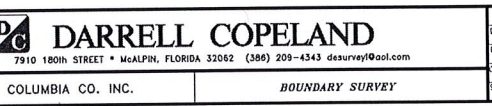
Commence at the northeast corner of said Section 5; thence on the north boundary thereof S88°57'54"W, a distance of 74.78 feet to the POINT OF BEGINNING; thence S01°25'28"E, a distance of 158.20 feet; thence S89°00'42"W, a distance of 1052.56 feet; thence S85°35'39"W, a distance of 368.46 feet; thence N88°05'35"W, a distance of 676.96 feet; thence N89°45'32"W, a distance of 1466.47 feet; thence S81°30'43"W, a distance of 385.00 feet; thence S75°13'17"W, a distance of 256.93 feet; thence N57°37'59"W, a distance of 314.54 feet; thence S89°29'52"W, a distance of 657.96 feet; thence S89°30'04"W, a distance of 767.83 feet; thence N08°55'16"W, a distance of 345.98 feet; thence N12°56'07"W, a distance of 608.50 feet; thence N04°14'38"W, a distance of 548.55 feet; thence S79°58'15"E, a distance of 2344.34 feet; thence S80°18'20"E, a distance of 1754.50 feet; thence S80°13'10"E, a distance of 1485.28 feet; thence S82°49'27"E, a distance of 605.39 feet; thence S01°25'28"E, a distance of 308.00 feet to the POINT OF BEGINNING.

Together with those appurtenant easements for ingress and egress, as described in that certain Easement Agreement recorded in Official Records Book 3394, page 2157, Public Records of Clay County, Florida.

LEGEND

F.	=	Found
S.	=	Set
I.R.	=	Iron Pipe
I.R.	=	Iron Rod
C.M.	=	Concrete
	=	Monument
C.	=	Copped
N.S.	=	Null & Quik
P.	=	Pipe
R.S.	=	Reinforced Splice
P.	=	Pile
F.	=	Field
D.	=	Dead
D.	=	Deadended
P.	=	Power Pole
O.H.W.	=	Overhead Wires
W/C	=	Witness Corner

ENGINEERING		SURVEY		R E V I S I O N
JOHN	SCALE	FIELD BOOK		
DARRELL	1" = 300'	MISC CO		
DESIGN TEAM	PROJECT #	PAGE		
18-115		58-59		
FOOD	DATE	C O F		
	4-15-16	DWC		
SET FILE NAME: DRAWINGS (16-000) (18-115.DWG)				N 4-15-16



BOUNDARY SURVEY 4-13-16

I hereby certify that this plot
accurately represents a survey of
the lands shown and described in
hereon, and more or less, the
same as shown on the map of
Section 31-17, T40N, R10E, S1E,
County of Lincoln, Nebraska,
and is a true and correct copy
of the original filed in the
office of the Register of Deeds
for the County of Lincoln, Nebraska.

[Signature] Date 4-12-16

Darrell Copeland
Registered Land Surveyor
Nebraska License #4353

NOT VALID WITHOUT THE SIGNATURE OF THE ORIGINAL RASSED SEAL OF A FLOA
LICENSED SURVEYOR AND UAPPER.

Clay County Rezoning Agent Authorization Affidavit

Attachment A-1



Date: 9/22/16

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, Florida 32043

Re: Agent Authorization

To Whom It May Concern:

Be advised that I am the lawful owner of the property described in the provided legal description attached hereto. As the owner, I hereby authorize and empower

Kopelousos, Bradley & Garrison, P.A.

whose address is:

1279 Kingsley Avenue, Suite 118, Orange Park, Florida 32073

Phone 904-269-1111

Email Rich@claylawyers.com

to act as agent for rezoning the property located at: (address or parcel ID)

32-04-23-000322-000-00

and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

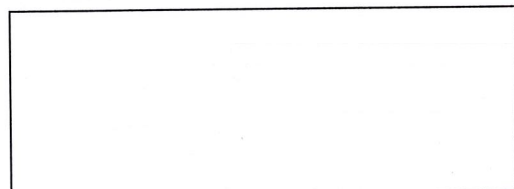
Owner's Signature

STATE OF FLORIDA

COUNTY OF ~~CLAY~~ COLUMBIA

The foregoing affidavit was sworn and subscribed before me this 22nd day of September

(month), 2016 (year) by Brian Schreiber, who is personally known to me or has produced _____ as identification.

(Notary Signature)

Notary Seal

Clay County Rezoning Property Ownership Affidavit

Attachment A-2



Date: 9/22/16

Clay County Board of County Commissioners

Division of Planning & Zoning
Attn: Zoning Chief
P.O. Box 1366
Green Cove Springs, Florida 32043

To Whom It May Concern:

Be advised that I am the lawful owner of the property described in the provided legal description attached hereto.
I give full consent to process the application for rezoning.

A handwritten signature in blue ink, appearing to read "Brian P. Schreiber".

Owner's Signature

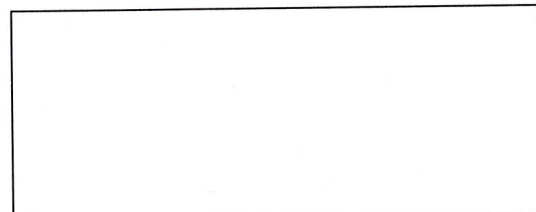
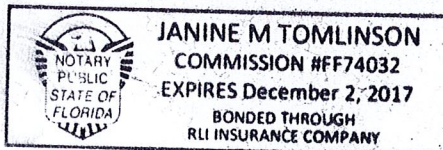
Print Name: Brian P. Schreiber

STATE OF FLORIDA

COUNTY OF Clay ~~COLUMBIA~~

The foregoing affidavit was sworn and subscribed before me this 22nd day of September

(month), 2016 (year) by Brian Schreiber, who is personally known to
me or has produced _____ as identification.

A handwritten signature in blue ink, appearing to read "Janine M. Tomlinson".
(Notary Signature)

Notary Seal

BK: 3867 PG: 1469

LEGAL DESCRIPTION (Attachment A-3)

37981 wd301:andersoncol

EXHIBIT "A"

A parcel of land lying in Sections 5 and 6, Township 5 South, Range 23 East and in Sections 31 and 32, Township 4 South, Range 23 East, Clay County Florida, explicitly described as follows:

Commence at the northeast corner of said Section 5; thence on the north boundary thereof S88°57'54"W, a distance of 74.78 feet to the POINT OF BEGINNING; thence S01°25'28"E, a distance of 158.20 feet; thence S89°00'42"W, a distance of 1052.56 feet; thence S85°35'39"W, a distance of 368.46 feet; thence N88°05'35"W, a distance of 676.96 feet; thence N89°45'32"W, a distance of 1466.47 feet; thence S81°30'43"W, a distance of 385.00 feet; thence S75°13'17"W, a distance of 256.93 feet; thence N57°37'59"W, a distance of 314.54 feet; thence S89°29'52"W, a distance of 657.96 feet; thence S89°30'04"W, a distance of 767.83 feet; thence N08°55'16"W, a distance of 345.98 feet; thence N12°56'07"W, a distance of 608.50 feet; thence N04°14'38"W, a distance of 548.55 feet; thence S79°58'15"E, a distance of 2344.34 feet; thence S80°18'20"E, a distance of 1754.50 feet; thence S80°13'10"E, a distance of 1485.28 feet; thence S82°49'27"E, a distance of 605.39 feet; thence S01°25'28"E, a distance of 308.00 feet to the POINT OF BEGINNING.

Together with those appurtenant easements for ingress and egress, as described in that certain Easement Agreement recorded in Official Records Book 3394, page 2157, Public Records of Clay County, Florida.



Clay County Division of Planning & Zoning
Staff Report and Recommendation

Application Number Z-16-15

Owner / Agent Information

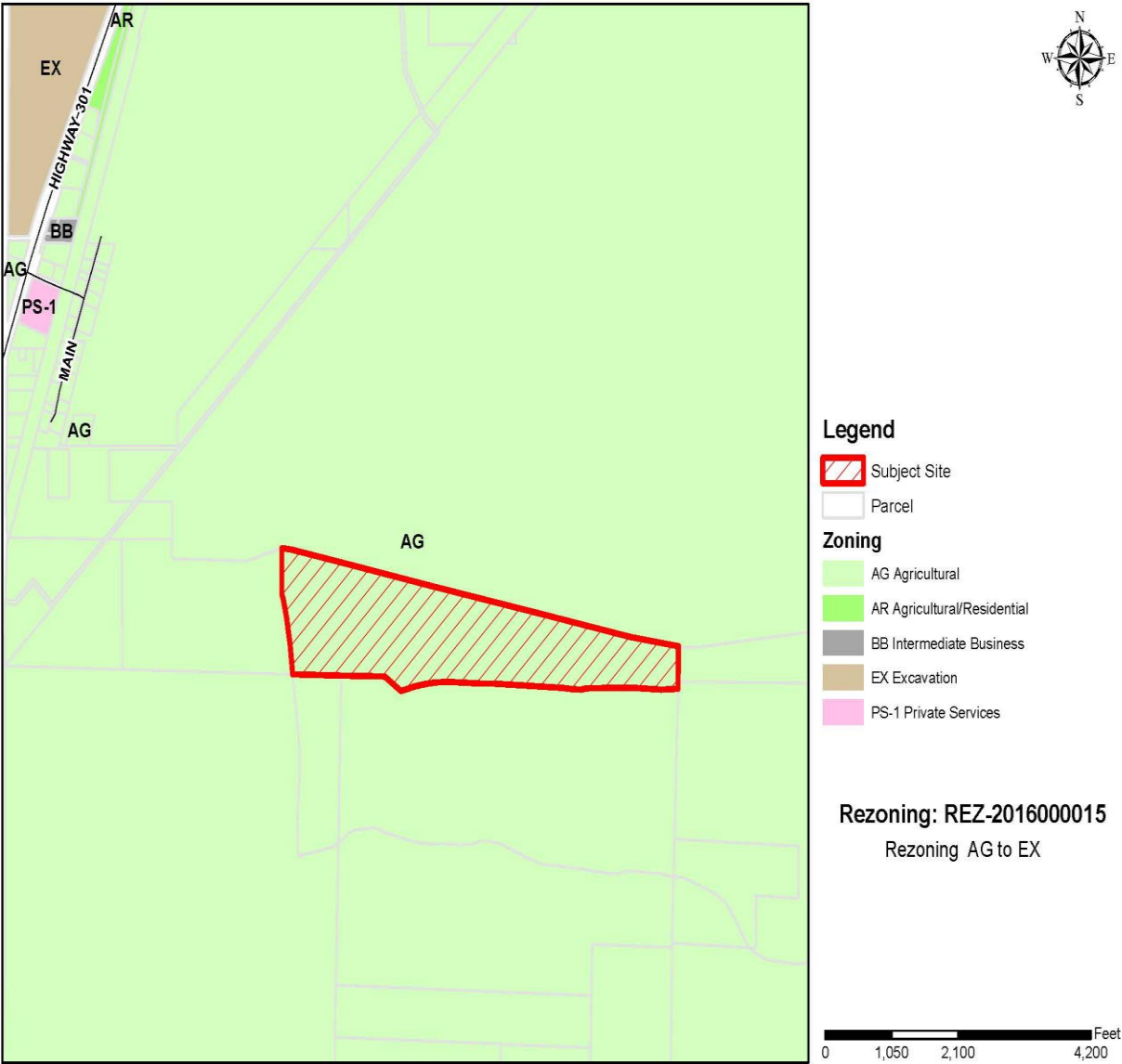
Owner / Petitioner Anderson Columbia
P.O. Box 1829
Lake City, FL 32056

Agent: N/A

Parcel, Zoning, Land Use, and Other Information

Parcel ID #	000322-000-00
Physical Address	N/A
Planning District:	1 (Middleburg / Clay Hill)
Commission District:	4 (Commissioner Burney)
Existing Zoning District:	AG (Agriculture)
Proposed Zoning District:	EX (Excavation)
Future Land Use Category:	AG (Agriculture)
Acreage:	134.35 +/- acres
Planning Commission Date:	January 3, 2017 @7:00 p.m.
Board of County Commissioners Date:	January 24, 2016 @ 2:00 p.m. or as soon thereafter

Surrounding Zonings and Site Photos





Legend

-  Subject Site
-  Parcel

Rezoning: REZ-2016000015

Rezoning AG to EX





Proposed EX Zoning District

Sec. 3-42. EXCAVATION (Zone EX)

- (a) *Intent.* It is the intent of this district to provide for the control of excavation activities within Clay County in order to protect the natural resources of the County. It is the further intent of this district to further the clearly articulated, affirmatively expressed and actively supervised state police as expressed in Chapter 211, Florida Statutes. The criteria within this district are declared to be the minimum necessary to protect the health, safety and welfare of the citizens of Clay County.
- (b) *Definitions.*
- (1) *Mine* shall mean an area of land on which mining operations have been conducted, are being conducted, or are planned to be conducted, as the term is commonly in the trade.
 - (2) *Mining operation* shall mean all functions, work, facilities, and activities in connection with the development, extraction - whether primary or secondary - or processing of mineral deposits on lands subject to the provisions of Chapter 211, Part II, Florida Statutes, and all uses reasonable incident thereto, such as the construction of roads or other means of access, pipelines, waste disposal and storage, and recirculating water systems. The term "processing" shall not include rock drying or the processing of rock in a chemical processing plant.
 - (3) *Mining unit* shall mean the number of acres which an operator will disturb or affect as part of the mining operation during the year's period covered by a reclamation application.
 - (4) *Operator* shall mean the person engaged, or seeking to be engaged, in a mining or reclamation operation or any other person who is obligated to reclaim mined lands pursuant to Chapter 211.32, Florida Statutes.
 - (5) *Overburden* shall mean the earth and other minerals which overlie the ore and which must be removed to gain access to the ore body.
 - (6) *Reclamation* shall mean the reshaping of land disturbed or affected by mining operations to an appropriate contour considering the type of use prior to mining operations, during the mining operations, and planned use after reclamation, and the surrounding topography and shall include revegetation of the lands in an approved manner.
 - (7) *Restoration* shall mean the return of the natural function of lands, waters, or a

particular habitat condition as nearly as possible to the state in which it existed prior to mining operation being commenced.

- (8) *Revegetation* shall mean providing either a diverse vegetation, native to the area, capable of self-regeneration at least equal in permanence to the natural vegetation or an agricultural or silvicultural crop suitable to the reclamation program and the surrounding areas.
- (9) *Wetland* means those areas identified by Rule of the Department of Environmental Protection and/or the St. Johns River Water Management District. (Amended 2/03 – Ord. 03-20)
- (10) *Excavation* shall mean the digging, stripping, or removal by any process of natural materials or deposits from their natural state and location, said materials, and deposits to include rock, stone, minerals, shell, sand, marl, muck, and soil, but not including sod. Excavation shall not include the creation of water bodies undertaken as a part of a planned unit development or other subdivision nor shall it include activities associated with the construction of stormwater management facilities.
- (11) *Environmentally Sensitive Area* is an area identified as a biological “hot spot” which may provide habitat for more than seven listed wildlife and plant species, as identified by an accredited biologist. Also ecologically sensitive vegetative communities including longleaf pine, turkey oak, or sand hill communities that are at least two acres in size. (Amended 2/03 – Ord. 03-20)
- (c) *Uses Permitted.* Activities associated with normal excavation and mining activities as defined herein; notwithstanding the provisions hereof, an incinerator or industrial furnace as an accessory use for such excavation and mining activities only is permitted, provided the incineration is incident to such excavation and mining activities, and provided that such incineration is fully permitted by all applicable state and federal regulatory agencies.
- (d) *Conditional Uses.* The following uses are permitted in the EX Zoning District, subject to the conditions provided in Section 20.3-5.
 - (1) Communication Antennas and Communication Towers, including accessory buildings, tower support and peripheral anchors as governed by the provisions of Section 20.3-46 of the Clay County Land Development Code. (Amended 11/26/96 - Ord. 96- 58).
 - (2) Radio, Television, Microwave Relay Stations or Towers and Accessory Equipment

Buildings constructed for public or private use provided that the parcel ownership shall be public. (Ord. 95-53 - 11/28/95)

- (3) Land Clearing Debris Disposal Facility (Amended 6/98 - Ord. 98-27)
- (e) *Uses Prohibited.* Any use not described herein, or as determined by the Directors of the Planning and Zoning Department. (Amended 2/03 – Ord. 03-20)
- (f) *Minimum Size and Other ~~Location~~ Criteria.* (Amended 2/03 – Ord. 03-20)
 - (1) Minimum lot size is three (3) acres.
 - (2) Access to a paved public right-of-way.
 - (3) Located outside an identified floodplain, floodway, or wetland.
 - (4) The following buffers shall be required where active mining operations are less than 2,000 feet from affected properties:
 - (i) A 200 foot perimeter buffer shall be required where any active mining location is adjacent to residential land uses. The buffer shall include at a minimum:
 - a. A row of evergreen canopy trees which are not less than ten feet high at the time of planting, a minimum of two inch caliper, spaced not more than thirty feet apart, and planted within ten feet of the property line; and,
 - b. A privacy fence or masonry wall, architecturally finished on all sides, a minimum height of six feet, and if a block wall, painted on all sides; and,
 - c. Turf grass, low growing evergreen plants or evergreen ground cover planted over the balance of the buffer.
 - d. In lieu of the requirements of A, B, and C above, a naturally vegetative undisturbed wooded area shall be preserved. This wooded buffer shall maintain an 85% opacity during all seasons and a minimum width of one hundred feet, and may be permitted with the Zoning Director's approval. Sections lacking opacity can be planted to achieve a continuous visual screen, or a landscaped berm of at least six feet in height that obscures the view from adjacent property at the time of planting.

- e. If D, above is not a feasible option due to the lack of wooded areas along property lines, a 125 foot buffer of the following type may be allowed, also in lieu of the requirements of A, B, and C above. This buffer includes a 50 foot buffer along the property line with an additional zone that is at least 75 feet in width provided landward of the buffer area. This additional zone shall include a topsoil pile that will direct drainage away from wetlands. The topsoil pile shall be naturally revegetated within 30 days of their construction or they will be seeded and mulched. An erosion preventive vegetative cover must be established within 3 months of seeding, be adequately vegetated with grass or some other form of ground cover and the topsoil pile zone shall include a silt screen placed where the zone and fifty foot buffer meet.
- (ii) A one hundred foot perimeter buffer shall be required where any active mining location is adjacent to commercial and agricultural (excluding silviculture) land uses. The buffer shall include at a minimum:
- a. A row of evergreen canopy trees which are not less than ten feet high at the time of planting, a minimum of two-inch caliper, spaced not more than thirty feet apart, and planted within ten feet of the property line; and,
 - b. A masonry wall, architecturally finished on all sides, a minimum height of six feet, and if a block wall, painted on all sides; and,
 - c. Turf grass, low growing evergreen plants or evergreen ground cover planted over the balance of the buffer.
 - d. In lieu of the requirements of A, B, and C above, a naturally vegetative undisturbed wooded area shall be preserved. This wooded buffer shall maintain an opacity of at least 85% during all seasons and a minimum width of seventy-five feet, and may be permitted with the Zoning Director's approval. Sections lacking opacity can be planted to achieve a continuous visual screen.
 - d. If D above is not a feasible option due to the lack of wooded areas along property lines, a 125 foot buffer of the following type may be allowed, also in lieu of the requirements of A, B, and C above. This buffer includes a 50 foot buffer along the property line with an additional zone that is at least 75 feet in width provided landward of the buffer area. This additional zone shall include a topsoil pile that will direct drainage away from wetlands. The topsoil pile shall be naturally revegetated within 30 days of their construction or

they will be seeded and mulched. An erosion preventive vegetative cover must be established within 3 months of seeding, be adequately vegetated with grass or some other form of ground cover and the topsoil pile zone shall include a silt screen placed where the zone and fifty foot buffer meet.

- (iii) A 200 foot buffer shall be required between any active mining location and any jurisdictional wetland. A 50 foot buffer may be permitted if an additional zone that is at least 75 feet in width is provided landward of the buffer area. This additional zone shall include a topsoil pile that will direct drainage away from wetlands. The topsoil pile shall be naturally revegetated within 30 days of their construction or they will be seeded and mulched. An erosion preventive vegetative cover must be established within 3 months of seeding, be adequately vegetated with grass or some other form of ground cover and the topsoil pile zone shall include a silt screen placed where the zone and fifty foot buffer meet.
- (iv) A 100 foot buffer shall be required where any active mining location is adjacent to a public road. The buffer shall include at a minimum:
 - A. A row of evergreen canopy trees which are not less than ten feet high at the time of planting, a minimum of two inch caliper, spaced not more than thirty feet apart, and planted within ten feet of the property line; and,
 - B. A wood privacy fence, chain link fence with slats and/or screen cloth, or masonry wall, architecturally finished to the outside, a minimum height of six feet.
 - C. In lieu of the requirements of A and B above, a naturally vegetative undisturbed wooded area shall be preserved. This wooded buffer shall maintain an opacity of at least 85% during all seasons and a minimum width of fifty feet, and may be permitted with the Zoning Director's approval. Sections lacking opacity can be planted to achieve a continuous visual screen.
 - D. If C above is not a feasible option due to the lack of wooded areas along property lines, a 125 foot buffer of the following type may be allowed, also in lieu of the requirements of A and B above. This buffer includes a 50 foot buffer along the property line with an additional zone that is at least 75 feet in width provided landward of the buffer area. This additional zone shall include a topsoil pile that will direct drainage away from wetlands. The topsoil pile shall be naturally revegetated within 30 days of their construction or

they will be seeded and mulched. An erosion preventive vegetative cover must be established within 3 months of seeding, be adequately vegetated with grass or some other form of ground cover and the topsoil pile zone shall include a silt screen placed where the zone and fifty foot buffer meet. (Amended 2/03 – Ord. 03-20)

- (5) Environmentally Sensitive Areas shall be left undisturbed to the greatest extent possible, and shall only be impacted if avoidance would substantively reduce the ability of the applicant to mine the site. If such areas are impacted, the applicant will demonstrate how such areas will be restored, and will also demonstrate through the phasing plan and site plan that travel corridors will exist to allow for wildlife movement across or around impacted areas throughout the mining process. (Amended 2/03 – Ord. 03-20)

(g) *Application Requirements.*

- (1) The applicant shall be required to attend a pre-application conference with the Directors of the Planning and Zoning Department. The Directors shall invite, as a minimum, representatives from the St. Johns River Water Management District and Department of Environmental Protection to attend the conference. (Amended 2/03 – Ord. 03-20)
- (2) The applicant shall complete the appropriate application forms as provided by the Zoning Department and pay the applicable fee. (Amended 2/03 – Ord. 03-20)
- (3) The applicant shall complete a site plan substantially in conformance with the requirements of this paragraph, with the rezoning application. The site plan shall show the following elements: Property boundaries, active mining areas, proposed mining areas, adjacent land uses, adjacent structures, environmentally sensitive areas, wildlife travel corridors (if any), and adjacent and vicinity roadways (public and private). Additionally, the applicant shall submit a phasing plan that will govern the timing of operations, buffer implementation, and the timing of impacts to generalized areas. This phasing plan may be updated with the approval of county staff, but at no time shall any mining operations occur that impact affected properties without the adoption of, or the amendment of an approved plan. The other specific requirements will be determined at the pre-application conference. The intent is not to duplicate state agency requirements. (Amended 2/03 – Ord. 03-20)
- (4) The applicant shall prepare an environmental assessment report with the zoning application that demonstrates proposed operations on the ground water resources and the land uses within one mile of the site. This report shall specifically identify environmentally sensitive areas, shall indicate which of these

areas are to be left undisturbed and which are to be impacted, and shall also identify any planned wildlife travel corridors. (Amended 2/03 – Ord. 03-20)

- (5) The applicant shall file all permits, performance bonds, and reclamation plans filed to state agencies to the County prior to the commencement of mining. In the event that a performance bond is not required by state agencies, the County will require a feasible form of financial assurance, e.g. certificates of deposit, corporate guarantee, etc., to ensure that needed reclamation occurs. Upon receipt of all required agency documentation and financial assurances, the County shall issue an Operations letter that will authorize commencement of mining activities. (Amended 2/03 – Ord. 03-20)
- (6) Copies of the annual progress reports required by the Department of Environmental Protection and those that may be required by other state agencies shall be submitted concurrently to the Director of the Zoning Department. (Amended 2/03 – Ord. 03-20)
- (7) Final approval of the mining application shall be made by the Directors of the Planning and Zoning Departments. (Amended 2/03 – Ord. 03-20)

Staff Report & Recommendation

The applicant is requesting a change in zoning from AG (agriculture) to EX (excavation) for uses permitted within the district. The subject property is in western Clay County, near US 301, south of County Road 218, located partly within and to the east of the designated, but undeveloped, 301 Corridor Industrial Park. The applicant currently operates a borrow pit on 30.5 acres of the site. The applicant is requesting to develop the entire site for a sand mine for the purpose of providing sand for road construction projects in Clay and surrounding counties. Clay County Public Works has approved access to US 301 via Main Street and Richard Mosley Road. This application is a companion rezoning to CPA 2016-09 to amend the Future Land Use Map (FLUM) from Agriculture and Industrial Park to Mining on 135.35 acres. The subject property is surrounded by lands designated Agriculture on the North, East and South, however Industrial Park is designated at the western boundary. The subject property and surrounding properties are zoned Agriculture.

Staff has reviewed the application and has determined that the change in zoning is consistent with the Comprehensive Plan, with the adoption of CPA 2016-9, and compatible with the surrounding area. Staff recommends approval of Z-16-15.

ORDINANCE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY FLORIDA, PROVIDING FOR THE REZONING OF CERTAIN REAL PROPERTY UNDER ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED BY ORDINANCE 93-16; FROM ITS PRESENT ZONING CLASSIFICATION OF “AG” AGRICULTURAL DISTRICT TO “EX” EXCAVATION; PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. Pursuant to the application of Anderson Columbia Co., Inc., owner of the following described lands, zoning classification of “AG” Agricultural District on the following described land:

See Attached Exhibit “A”

Z-16-15 is hereby changed to “EX” Excavation.

SECTION 2. Effective Date: This Ordinance shall become effective immediately upon receipt of official acknowledgement of the office of the Secretary of State to the Clerk of the Board of County Commissioners, that same has been filed.

SECTION 3. Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in the zoning district wherein said lands are located.

SECTION 4. The Building Department is authorized to issue construction permits allowed by zoning classification as rezoned hereby.

SECTION 5. If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this

_____ Day of _____, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
CLAY COUNTY, FLORIDA

COUNTY MANAGER AND CLERK OF
THE BOARD OF COUNTY COMMISSIONERS

BY: _____
WAYNE BOLLA
ITS CHAIRMAN



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, January 3 7:00 PM

TO: Planning Commission

DATE: 10/24/2016

FROM: Carolyn Morgan, Chief
Planner

SUBJECT: The Applicant has requested CPA 2016-06 be withdrawn from the January 3, 2017 Planning Commission Agenda.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

This item was continued from the October 4, 2016 Planning Commission meeting at the request of the Applicant, and continued from the September 6, 2016 Planning Commission at the request of Staff.

Planning Requirements:

Public Hearing Required (Yes/No):

Yes

Hearing Type: First Public Hearing

Initiated By: Applicant

Applicant: Duncan Ross, Prosser, Inc. agent for United Asset Holdings Commercial, LLC.

ATTACHMENTS:

Description	Type	Upload Date	File Name
Withdrawal of Application	Backup Material	12/21/2016	Drees_Homes_Withdrawal_CPA_12-21-16.pdf

December 21, 2016

VIA EMAIL

Mr. Ed Lehman, Director
Clay County Planning and Zoning Division
477 Houston Street, 3rd Floor
Green Cove Springs, FL 32043

**RE: Notice of Withdrawal
Comprehensive Plan Amendments 2016-06 and CPA 2016-10
Prosser No. 115031.01**

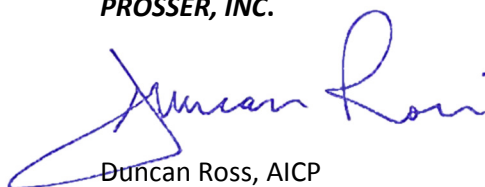
Dear Mr. Lehman,

On behalf of Drees Homes, we are withdrawing the above referenced Comprehensive Plan Amendments from further action by Clay County. These items are scheduled for upcoming hearings at the Planning Commission and Board of County Commissioners in January 2017.

We would appreciate if you would provide a letter or email confirming receipt of the notice of withdrawal for the above referenced items. If you have any questions, please do not hesitate to contact me.

Respectfully submitted,

PROSSER, INC.



Duncan Ross, AICP
Senior Planner/Project Manager
dross@prosserinc.com

cc: Brian Small, Drees Homes (via email)



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, January 3 7:00 PM

TO: Planning Commission

DATE: 12/20/2016

FROM: Carolyn Morgan, Chief Planer

SUBJECT:

Amend the Lake Asbury Master Plan to remove the Greenbelt designation on a parcel of land located on Sandridge Road west of Feed Mill Road.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

Staff has received a site plan for mixed use development, Wisteria Dairy Mixed Use. The Greenbelt designation crosses the property east to west.

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Staff

Applicant: Planning and Zoning Division

ATTACHMENTS:

Description	Type	Upload Date	File Name
Staff Memo			
▣ CPA 2016-11 LA Greenbelt	Cover Memo	12/20/2016	CPA_16-11_LA_Greenbelt_memo_121916.pdf
Draft			
▣ Ordinance CPA Cover Memo 2016-11	Cover Memo	12/21/2016	Draft_Ordinance_CPA_20117-01_LA_Greenbelt_wisteria_121616.docx



**Department of Economic
and Development Services**

Memorandum

To: Planning Commission
From: Carolyn Morgan, Senior Planner
Date: January 3, 2017

Re: Planning Commission Consider Transmittal of Large Scale Future Land Use Amendment CPA 2016-11, Lake Asbury Greenbelt.

INTRODUCTION

This is an application by Clay County Planning and Zoning Division, to amend the Future Land Use Map (FLUM), Lake Asbury Master Plan Map to remove the Greenbelt designation across tax parcel 010101-000-00. The subject parcel is located in the Lake Asbury/Penney Farms Planning District, and in Commission District 5 (Mr. Hendry).

DESCRIPTION

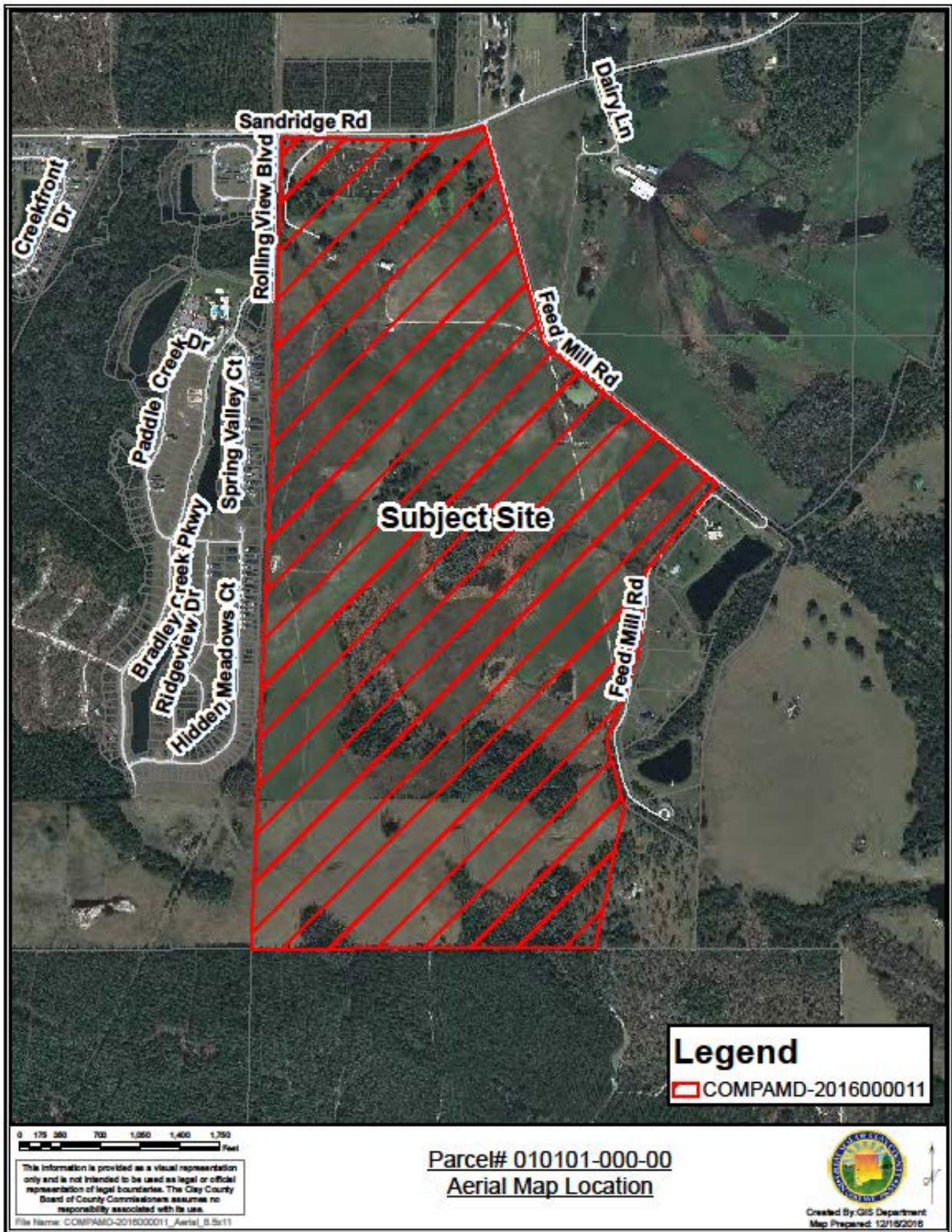
In addition to the Lake Asbury MPC and VC designations, the subject parcel also is designated as a linear Greenbelt from east to west across the property. The subject parcel was used as a dairy farm in the past. The property does not include any lands designated as Greenway on the Lake Asbury Master Plan.

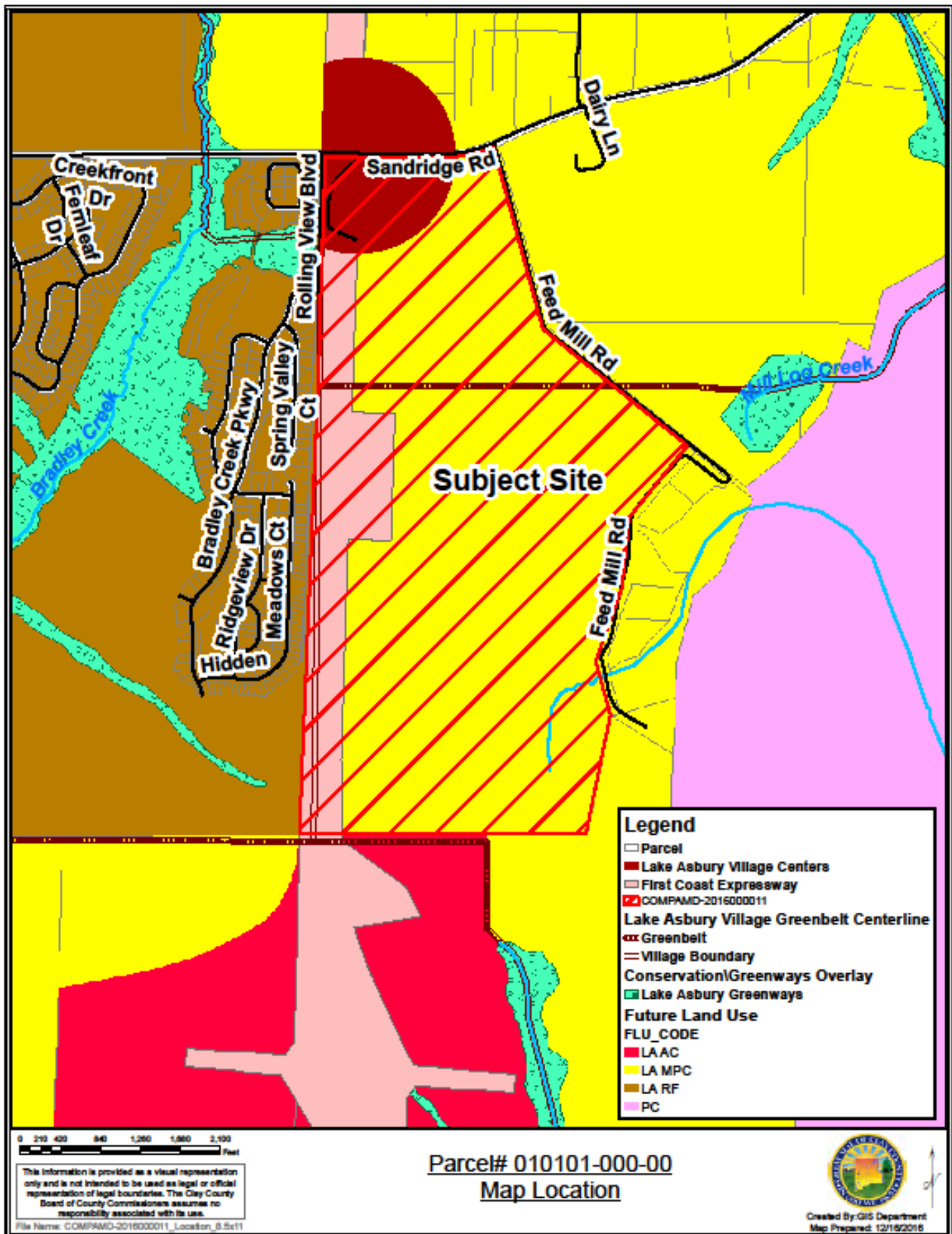
ANALYSIS

The Lake Asbury Greenbelt is described in Lake Asbury Future Land Use Policy 4.14:

".... Greenbelts shall define village boundaries, and will also serve to provide important upland greenway connections. Greenbelts shall connect such natural features such as creeks and linear wetlands. Greenbelts will be created through the transfer of upland densities within parcels. Such "Greenbelts" shall also serve to define village boundaries with a single village greenbelt width that exceeds an average of 250 feet in width, with a minimum width of 150 feet."

The existing designated Greenbelt in the subject property is not consistent with the degraded wetland areas that are oriented diagonally across the northern part of the property. Those





wetland areas are intended to be maintained in the pending Wisteria Mixed Use residential site plan but were not determined to be significant enough to be mapped in the Lake Asbury Master Plan. Mill Log Creek as shown on the adjacent parcel appears to end east of the subject parcel. Also, as can be seen in the attached land use map, the Greenbelt does not appear to have been shown to connect to the Bradley Creek system to the west of the subject property, and will certainly not connect when the First Coast Expressway is built. The Greenbelt designation is also utilized to provide "Village Boundaries." If that was intended, the Village boundary, as applied to this property, would cut across the proposed development, and would not at all be consistent with the planned relationship with the Village Center designated at Sandridge Road. Staff will further examine the greenbelt designations in the update of the comprehensive plan.

RECOMMENDATION:

Staff recommends the removal of the Greenbelt designation on Tax Parcel 010101-000-00, the proposed Wisteria Dairy Mixed Use.

ORDINANCE NO. 2017-___

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2025 COMPREHENSIVE PLAN (THE "PLAN") INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE No. 09-41, AS SUBSEQUENTLY AMENDED, TO AMEND THE FUTURE LAND USE MAP TO REMOVE THE FUTURE LAND USE MAP DESIGNATION FOR A PORTION OF THE LAKE ASBURY GREENBELT ON CERTAIN PROPERTY IN THE VICINITY OF SANDRIDGE ROAD; PROVIDING FOR SEVERABILITY; PROVIDING DIRECTIONS TO THE CLERK OF THE BOARD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 27, 2009, the Board of County Commissioners of Clay County, Florida (the "Board"), adopted Ordinance No. 09-41, which adopted the Clay County 2025 Comprehensive Plan (the Plan); and,

WHEREAS, Section 163.3184, Florida Statutes, outlines the process for the adoption of comprehensive plans or amendments thereto; 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. With respect to the Plan, the adopted Future Land Use Map is hereby amended such that the land use designation of the parcel depicted in Exhibit A-1 and described in Exhibit A-2 both of which are attached hereto and by reference made a part hereof, is amended to remove the Lake Asbury Greenbelt designation.

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 Clerk of the Board of County Commissioners is authorized and directed within 10 days of the date of adoption of this ordinance to send certified, complete and accurate copies of this ordinance by certified mail, return receipt requested, to the Florida Department of Economic Opportunity, the Caldwell Building, 107 East Madison Street, Tallahassee, Florida 32399-4120, the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216, and any other agency or local government that provided timely comments as specified in Section 163.3184(4), Florida Statutes.

Section 5. In accordance with Section 163.3184, Florida Statutes, if the Plan amendment provided by this ordinance is not timely challenged, then the effective date of said Plan shall be the 31st day after the date the Department of Economic Opportunity notifies the County that the plan amendment is complete. If the Plan amendment is timely challenged, however, said effective date shall be the date a final order is entered by the Department of Economic Opportunity or the Administrative Commission

determining the amendment to be in compliance. No development orders, development permits or land uses dependent on these Plan amendments may be issued or commence before they have become effective. If a final order of non-compliance is issued, these Plan amendments may nevertheless be made effective by adopting of a resolution affirming their effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, The Caldwell Building, 107 E. Madison Street, Tallahassee, Florida 32399-4120. The resolution shall not become effective until receipt of a written notice from the Department of Economic Opportunity that it has received the resolution.

Duly adopted by the Board of County Commissioners of Clay County, Florida, this 24th day of January, 2017.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

Wayne Bolla
Its Chairman

ATTEST:

S.C. KOPELOUSOS
County Manager and Clerk of the
Board of County Commissioners

Exhibit A-1

Insert map without Greenbelt designation

Exhibit A-2

Insert legal description of Tax Parcel 010101-000-00



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, January 3 7:00 PM

TO: Planning Commission

DATE: 12/21/2016

FROM: Carolyn Morgan,
Chief Planner

SUBJECT: The applicant has requested that this item be withdrawn.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

Continued from November 1, 2016.

Planning Requirements:

Public Hearing Required (Yes/No):

Yes

Hearing Type: First Public Hearing

Initiated By: Applicant

Applicant: Duncan Ross, Prosser, Inc. agent for United Asset Holding Commercial, LLC.

ATTACHMENTS:

Description	Type	Upload Date	File Name
<input type="checkbox"/> Request of Withdraw Application	Backup Material	12/21/2016	Drees_Homes_Withdrawal_CPA_12-21-16.pdf

December 21, 2016

VIA EMAIL

Mr. Ed Lehman, Director
Clay County Planning and Zoning Division
477 Houston Street, 3rd Floor
Green Cove Springs, FL 32043

**RE: Notice of Withdrawal
Comprehensive Plan Amendments 2016-06 and CPA 2016-10
Prosser No. 115031.01**

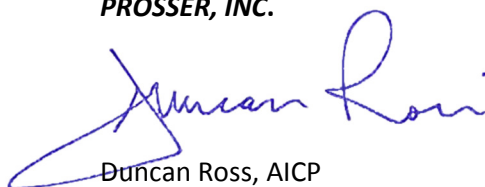
Dear Mr. Lehman,

On behalf of Drees Homes, we are withdrawing the above referenced Comprehensive Plan Amendments from further action by Clay County. These items are scheduled for upcoming hearings at the Planning Commission and Board of County Commissioners in January 2017.

We would appreciate if you would provide a letter or email confirming receipt of the notice of withdrawal for the above referenced items. If you have any questions, please do not hesitate to contact me.

Respectfully submitted,

PROSSER, INC.



Duncan Ross, AICP
Senior Planner/Project Manager
dross@prosserinc.com

cc: Brian Small, Drees Homes (via email)



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, January 3 7:00 PM

TO: Planning Commission

DATE: 12/21/2016

FROM: Carolyn Morgan, Chief
Planner

SUBJECT: Amend the Lake Asbury Land Development Regulations Paragraph 6 relating to Village Centers to modify the size and location of commercial uses and to modify Paragraph 13 of Subsection C with regard to entrances to subdivisions.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

The District 5 Commissioner requested reconsideration of the roadway issue.

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Staff

Applicant: Clay County Planning and Zoning Division

ATTACHMENTS:

Description	Type	Upload Date	File Name
Staff Memo Code Change 2016-05 Lake Asbury VC and Roadway Standards Draft	Cover Memo	12/21/2016	Staff_memo_Code_Change_2016-05_LA_VC_and_Roadway_standards_010317.pdf

Ordinance Code Change 2016-05 Lake Asbury	Ordinance	12/21/2016	Ordinance_No_(2).pdf
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**Department of Economic
and Development Services**

Memorandum

To: Planning Commission
From: Carolyn Morgan, Senior Planner
Date: January 3, 2017

Re: Code Change 2016-05 Lake Asbury Village Center and Roadway Standards

INTRODUCTION

This is an application by staff to amend the Lake Asbury Master Plan Land Development Regulations Paragraph 6 relating to Village Centers to modify the size and location of commercial uses and to modify Paragraph 13 of Subsection C with regard to entrances to subdivisions.

DESCRIPTION

Village Center Text Amendment

The Village Center Amendment is intended to eliminate the requirement that commercial development on less than 15 acres be developed as first floor uses under residential or office uses.

ANALYSIS

Village Center Text Amendment

The Village Center designation has been placed on a very small number of parcels in Lake Asbury that are not 15 acres in size. As a result, those property owners are required to provide vertical mixed use, when such vertical mixed use is not required of any other Village Center property owners. Vertical mixed use is very uncommon in Clay County.

Proposed Revision

The base zoning district is LA Village Center (LA VC). Other Zoning Districts permitted are PO-1, PO-2, PO-3, PO-4, PO-5 and PS-1, PS-2, PS-3, PS-4 and PS-5. Village Centers shall serve as the mixed use focal point and central place of a village, and shall provide community shopping, parks and may incorporate elementary schools, arranged in a walkable and human-scale manner. The retail and office component is limited to small-scale uses, except for stand-alone

grocery stores and drug stores. Village Centers must be located around the intersection of roads classified as minor collector and above.

Residential uses are allowed in the form of small-lot single-family subdivisions, townhomes, apartments and upper floor units above non-residential uses, all with a required traditional neighborhood development design. Project residential density shall be between six (6) and ten (10) units per acre, not applicable to upper floor units in non-residential development. Projects utilizing upland preservation density bonus units shall be allowed a density of up to twelve (12) units per net acre. Nonresidential Project Flora Area Ratios shall not exceed 70%. Commercial uses must ~~either~~ be in a compact, walkable form, accessible by sidewalk ~~(minimum 15 acres in size) or as first floor uses under residential or office uses.~~

Village Centers in the Rural Community may only include elementary schools, parks, and rural commercial development, defined as individual buildings (excluding schools) less than 5,000 square feet in size and total building area less than 15,000 square feet.

The Village Center shall be designed to provide connections to the surrounding pedestrian/bicycle path system and to integrate with the street network of surrounding neighborhoods. Open space requirements may provide park space in the form of civic spaces, plazas, and urban parks, as well as community parks.

All development is subject to the Lake Asbury Overlay Standards.

DESCRIPTION

Roadway Standards Text Amendment

This application was previously heard by the Planning Commission November 1, 2016 and is being resubmitted for consideration at the request of the District 5 Commissioner.

The request is to modify the requirement for a second entrance to subdivisions with greater than 100 lots in certain conditions. Specifically, this amendment would allow residential subdivisions of greater than 100 lots to be developed if the proposed second entrance connects to the thoroughfare via an unfunded dashed line road. The Lake Asbury Master Plan establishes a number of unconstructed Dashed Line Roads.

Lake Asbury Policy 1.3 states that the County will, by July 1, 2012, amend the Land Development Regulations to incorporate a financial system to further define construction of these Dashed Line Roads. The policy goes on further to define what this system will address. So far, no financial system has been developed to address construction of these Dashed Line Roadways.

If no system is developed to address the proposed Dashed Line Roads, the existing policy states that the roads can be removed from the Lake Asbury Master Plan Map. The purpose of these

Code Change 2016-05
January 3, 2017

roads is to provide a local collector roadway system to support the expected 20,000 persons who will inhabit the Lake Asbury area as a result of the land use designations contained in the Master Plan and the construction of the First Coast Expressway. This revision will allow the County additional time to address these issues.

Recommendation

Planning staff recommends approval of Code Change 2016-05, as proposed for both issues.

Ordinance No. 2017-__

AN ORDINANCE OF THE COUNTY COMMISSION OF CLAY COUNTY, FLORIDA, AMENDING SECTION 3-33B OF THE CLAY COUNTY LAND DEVELOPMENT CODE, BEING THE CODIFICATION OF ORDINANCE NO. 93-16, AS SUBSEQUENTLY AMENDED, (ALSO KNOWN AS THE LAKE ASBURY MASTER PLAN LAND DEVELOPMENT REGULATIONS) IN ORDER TO REVISE SUBSECTION B. (ZONING DISTRICTS) BY AMENDING PARAGRAPH 6. RELATING TO VILLAGE CENTERS TO MODIFY THE SIZE AND LOCATION REQUIREMENTS FOR COMMERCIAL USES; AND REVISING PARAGRAPH 13 "ROADWAY STANDARDS" IN SUBSECTION C. (LAKE ASBURY OVERLAY STANDARDS) TO DELETE THE REQUIREMENT THAT AT LEAST TWO ENTRANCES ARE REQUIRED FOR A SUBDIVISION WITH MORE THAN 100 UNITS IF THE PLANNED SECOND ENTRANCE IS IDENTIFIED AS ACCESSING A DASHED LINE ROADWAY WHEN NO FUNDING SYSTEM HAS BEEN IDENTIFIED FOR FUNDING THE CONSTRUCTION OF THE DASHED LINE ROADWAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Ordinance 93-16 which created Article III of the Clay County Land Development Code, said Article III being the Zoning and Land Use Development Code of the County, Florida; and

WHEREAS, the Board adopted Ordinance No. 2005-33 on July 26, 2004, by which it adopted the Lake Asbury Master Plan Goals, Objectives and Policies and the Lake Asbury Plan Map; and

WHEREAS, on November 14, 2006, the Board adopted Ordinance 2006-64, which created Section 20.3-33B of the Zoning and Land Use LDRs comprising the Lake Asbury Land Development Regulations; and

WHEREAS, the Lake Asbury Land Development Regulations provide regulations for certain lands within the Lake Asbury land use categories.

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

Section 1. Paragraph 6., of Subsection B, of the Section 20.3-33B is hereby amended as follows (additions indicated by underline; deletions by strike-through):

6. Village Center Land Use

The base zoning district is LA Village Center (LA VC). Other Zoning District permitted are PO-1, PO-2, PO-3, PO-4, PO-5 and PS-1, PS-2, PS-3, PS-4 and PS-5. Village Centers shall serve as the mixed use focal point and central place of a village, and shall provide community shopping, parks and may incorporate elementary schools, arranged in a walkable and human-scale manner. The retail and office component is limited to small-scale uses, except for stand-alone grocery stores and drug stores. Village Centers must be located around the intersection of roads classified as minor collector and above.

Residential uses are allowed in the form of small-lot single-family subdivisions, townhomes, apartments and upper floor units above non-residential uses, all with a required traditional neighborhood development design. Project residential density shall be between six (6) and ten (10) units per acre, not applicable to upper floor units in non-residential development. Projects utilizing upland preservation density bonus units shall be allowed a density of up to twelve (12) units per net acre. Nonresidential Project Floor Area Ratios shall not exceed 70%. Commercial uses must ~~either~~ be in a compact, walkable form, accessible by sidewalk ~~(minimum 15 acres in size)~~ or as ~~first floor uses under residential or office uses.~~

Village Centers in the Rural Community may only include elementary schools, parks, and rural commercial development, defined as individual buildings (excluding schools) less than 5,000 square feet in size and total building area less than 15,000 square feet.

The Village Center shall be designed to provide connections to the surrounding pedestrian/bicycle path system and to integrate with the street network of surrounding neighborhoods. Open space requirements may provide park space in the form of civic spaces, plazas, and urban parks, as well as community parks.

All development is subject to the Lake Asbury Overlay Standards.

Section 2. Subclause B. of Clause 13.a.ii , of Subsection C, of Section 20.3-33B, or Article III of the Clay County Land Development Code, Lake Asbury Land Development Regulations, is hereby amended as follows;

B. Residential developments with more than 100 dwelling units shall have at least two entrances fronting on the principal thoroughfare. This thoroughfare shall be classified as a minor collector or above, and shall be part of the County's Concurrency Management System of roadways. This standard shall not apply if frontage along that thoroughfare is less than 1000 feet, or if it is determined by the County's Engineering Department that additional entrance would constitute a substantive traffic safety problem. If the planned second entrance connects to the thoroughfare via a Dashed Line Roadway, residential development greater than 100 dwelling units may be approved and constructed prior to the Dashed Line Roadway being included in the financially feasible ten-year schedule of capital improvements specified in LA Policy 5.1. In the event that only one entrance as a two-lane boulevard with a median.

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 become effective as prescribed by Florida general law.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this 24th day of January, 2017.

**Board of County Commissioners
CLAY COUNTY, FLORIDA**

BY: _____

Wayne Bolla
Its Chairman

ATTEST

S.C. Kopelousos
County Manager and Clerk of the
Board of County Commissioners



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, January 3 7:00 PM

TO: Planning Commission

DATE: 12/21/2016

FROM: Carolyn Morgan, Chief Planer

SUBJECT:

Amend the Branran Field Master Plan Land Development Regulations to revise the lot size variety requirements in the Village Zone and Suburban Zone districts.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

At the December 13, 2016 BCC meeting, the Board directed staff to provide a revised ordinance that addressed the lot size limitation and allowed the diversity within the subdivision but not on a block to block basis,

Planning Requirements:

Public Hearing Required (Yes/No):

Yes

Hearing Type: First Public Hearing

Initiated By: Staff

Applicant: Clay County Planning and Zoning Division

ATTACHMENTS:

Description Type	Upload Date	File Name
Staff Memo Code Change 2016-06	12/21/2016	Staff_memo_Code_Chang_2016-06_MPC_Village_Zone_and_Suburban_Zone_staff_memo_Dec_2016.pdf
BF MPC draft ordinance Code Change 2016-06 BF MPC	12/21/2016	Ordinance_revised_CODE_Change_2016-06_lot_size_variety_MPC_VC_and_SZ121516.pdf



**Department of Economic
and Development Services**

Memorandum

To: Planning Commission
From: Carolyn Morgan, Chief Planner
Date: January 2, 2017

Re: Code Change 2016-06 BFMPC Village Zone and Suburban Zone

Applicant:
Clay County Planning and Zoning

Issue:
Amend the Branran Field Master Plan Land Development Regulations, II. Residential Land Uses, 2. Master Planned Community to revise the Lot Size Variety requirements in the Village Zone and Suburban Zone.

Background:
An amendment was made this December to the BF MPC to revise lot size variety in the suburban zone and the Board of County Commissioners directed the staff to return with a revised amendment to address lot size diversity in a manner that did not disperse the units within blocks, and not to limit the diversity requirement to lots under 5000 square feet. The Planning Commission had recommended a similar revision however a reworded advertisement would have been necessary. Now that the proposed revision is not tied to a specific applicant, staff recommends that the lot size variety be amended in both the village zone and the suburban zone. The language in both remain a little different however the proposed variety is not within blocks, but is within the subdivision.

Lot Size Variety:

Village Zone

- K. Lot Size Variety. To promote a diversity of housing types and to encourage affordable housing, there shall be at least two different widths within a single-family detached residential subdivision ~~block (two sides of a street between two intersecting street)~~. The two lot width shall vary by at least 25%. ~~Within each block, a~~ At least 30% of the lots must have a different lot width as described above. To ensure walkability and

affordability, at least 75% of single-family lot sized within a development must be less than 6,000 square feet.

Suburban Zone

- J. Lot Size Variety. To promote a diversity of housing types and to encourage affordable housing, ~~in developmentssubdivisions with a minimum single family detached lot size of less than 5,000 square feet, there shall be at least two different lot widths within a single-family detached residential block (two sides of a street between two intersecting streets).~~ The two lot widths shall vary by at least 15% (rounded to the nearest 10). ~~Within each block, a~~At least 25% of the lots must have a different lot width as described above.

Recommendation

Staff recommends approval of the changes to BF MPC lot size variety as shown above.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING SECTION 3-33A OF ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE (ALSO KNOWN AS THE BRANAN FIELD LAND DEVELOPMENT REGULATIONS) BEING THE CODIFICATION OF ORDINANCE NO. 93-16, AS AMENDED, BY AMENDING SECTION II. *RESIDENTIAL LAND USES*, IN ORDER TO AMEND *MASTER PLANNED COMMUNITY*, SUBSECTIONS 2.fii.k AND 2.f.iii.J. TO REQUIRE LOT SIZE DIVERSITY WITHIN A DEVELOPMENT, GENERALLY, NOT WITHIN EACH BLOCK; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. As used in this ordinance the term Article III shall refer to Article III of the Clay County Land Development Code, being the codification of Ordinance 93-16, as amended, and comprising the Clay County Zoning and Land Use Land Development Regulations.

Section X. *Subsection 2. Master Planned Community of Section II Residential Land Uses of Section 2-33A of Article III “Branan Field Land Development Regulations” of the Clay County Land Development Code is hereby amended by amending Subparagraph K. Lot Size Variety in Paragraph ii. Village Zone of Subsubsection f. Lot, Building and Other Requirements, as follows:*

- K. Lot Size Variety. To promote a diversity of housing types and to encourage affordable housing, there shall be at least two different widths within a single-family detached residential subdivision block ~~(two sides of a street between two intersecting streets)~~. The two lot width shall vary by at least 25%. ~~Within each block, a~~At least 30% of the lots must have a different lot width as described above. To ensure walkability and affordability, at least 75% of single-family lot sized within a development must be less than 6,000 square feet.

Section 2. *Subsection 2. Master Planned Community of Section II Residential Land Uses of Section 3-33A of Article III “Branan Field Land Development Regulations” of the Clay County Land Development Code is hereby amended by amending Subparagraph J. Lot Size Variety in Paragraph iii. Suburban Zone of Subsubsection f. Lot, Building and Other Requirements, as follows:*

- J. Lot Size Variety. To promote a diversity of housing types and to encourage affordable housing; ~~in developmentssubdivisions with a minimum single family detached lot size of less than 5,000 square feet,~~ there shall be at least two different lot widths ~~within a single-family detached residential block (two sides of a street between two intersecting streets).~~ The two lot widths shall vary by at least 15% (rounded to the nearest 10). ~~Within each block, a~~At least 25% of the lots must have a different lot width as described above.

Section 3. Should any word, phrase, sentence, paragraph, subparagraph, subsection or section of this ordinance or of Section 3-33A of Article III of the Clay County Land Development Code, being the codification of Ordinance 93-16, as amended, which is created or amended under Section 2 of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such word, phrase, sentence, paragraph, subparagraph, subsection or section shall be severed from this ordinance and Section 3-33A, as applicable, and all other words, phrases, sentences, paragraphs, subparagraphs, subsections and sections shall remain in full force and effect.

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 24th day of January, 2017.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

By: _____
Wayne Bolla
Its Chairman

ATTEST:

S.C. Kopelousos
County Manager and Clerk of the
Board of County Commissioners