

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY FLORIDA, PURSUANT TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED PURSUANT TO ORDINANCE 93-16, AS AMENDED, PROVIDING FOR THE REZONING OF A SINGLE PARCEL (TAX PARCEL IDENTIFICATION NUMBER 32-05-26-021092-000-00) COMPRISING 6.266 ACRES, FROM AR (AGRICULTURAL/RESIDENTIAL DISTRICT) TO PCD (PLANNED COMMERCIAL DEVELOPMENT DISTRICT); PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

**Section 1.** Application PCD-2022-12, submitted by property owner John Fagan, seeks to rezone a parcel of real property (tax parcel identification number 32-05-26-021092-000-00) (the Property) described as follows:

See attached Exhibit "A"

**Section 2.** The Board of County Commissioners approves the rezoning request. The present zoning classification of the Property, AR (Agricultural/Residential District), is changed to PCD (Planned Commercial Development District), subject to the conditions outlined in the Written Statement, attached as Exhibit "B", and as set forth in the site plan attached as Exhibit "C".

**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.** This Ordinance shall become effective upon the Ordinance adopting the comprehensive plan amendment requested in Application CPA-2022-20 becoming effective.

**DULY ADOPTED** by the Board of County Commissioners of Clay County, Florida, this \_\_\_\_\_ day of January, 2023.

BOARD OF COUNTY COMMISSIONERS  
OF CLAY COUNTY, FLORIDA

By: \_\_\_\_\_  
Betsy Condon, Its Chairman

ATTEST:

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

Exhibit "A"

A PARCEL OF LAND SITUATED IN SECTION 32, TOWNSHIP 5 SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA; ALSO BEING A PORTION OF FELLOWSHIP PARK, PART NO.1, ACCORDING TO PLAT BOOK 2, PAGE 61, OF THE PUBLIC RECORDS OF SAID COUNTY, AND FELLOWSHIP PARK, PART NO.5, ACCORDING TO PLAT BOOK 3, PAGE 2, OF SAID PUBLIC RECORDS, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 32; THENCE ON THE SOUTH LINE THEREOF RUN NORTH 89 DEGREES 03 MINUTES 24 SECONDS EAST 42.09 FEET TO THE EAST LINE OF COUNTY ROAD NO. C-315; THENCE ON LAST SAID LINE RUN THE FOLLOWING 2 COURSES: 1) NORTHERLY ON THE ARC OF A CURVE CONCAVE TO THE EASTERLY AND HAVING A RADIUS OF 11,419.16 FEET, A CHORD DISTANCE OF 216.41 FEET, THE BEARING OF SAID CHORD BEING NORTH 01 DEGREE 15 MINUTES 14 SECONDS EAST; 2) NORTH 01 DEGREE 47 MINUTES 45 SECONDS EAST 2,421.05 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 41 MINUTES 39 SECONDS EAST 525.60 FEET; THENCE NORTH 01 DEGREE 47 MINUTES 45 SECONDS EAST 516.77 FEET TO THE SOUTH LINE OF SAID COUNTY ROAD NO. C-315; THENCE ON LAST SAID LINE RUN THE FOLLOWING 2 COURSES: 1) SOUTH 89 DEGREES 36 MINUTES 48 SECONDS WEST 477.08 FEET; 2) SOUTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE SOUTHEASTERLY AND HAVING A RADIUS OF 50.00 FEET, RUN A CHORD DISTANCE 69.35 FEET TO SAID EAST LINE OF SAID COUNTY ROAD NO. C-315, THE BEARING OF SAID CHORD BEING SOUTH 45 DEGREES 42 MINUTES 16 SECONDS WEST; THENCE ON LAST SAID LINE SOUTH 01 DEGREE 47 MINUTES 45 SECONDS WEST 477.08 FEET TO THE POINT OF BEGINNING.

Exhibit "B"

Written Statement

Peters Creek Planned Commercial Development (PCD)

Type of Development: Single Use – Recreational Vehicle and Boat Storage conditional use

Owner: John Fagan  
1603 Park Avenue  
Orange Park, FL 32073

Agent: Mark Scruby  
Senior Counsel  
Rogers Towers, P.A.  
1301 Riverplace Blvd., Suite 1500  
Jacksonville, FL 32207

Existing Land Use: Rural Fringe (RF)

Proposed Land Use: Commercial (COM)

Existing Zoning: Agricultural/Residential (AR)

Proposed Rezoning: Agricultural/Residential (AR) to Planned Commercial Development (PCD)

Surrounding Land Uses: North – Rural Fringe (across CR 315)  
East – Rural Fringe and Commercial (Willow Springs North PUD)  
South – Commercial (Willow Springs North PUD)  
West – Rural Residential (across CR 315)

Surrounding Zoning: North – Single Family Residential (RB) (across CR 315)  
East – Willow Springs North PUD  
South – Willow Springs North PUD  
West – Agricultural/Residential (AR) (across CR 315)

Acreage:	Classification Code	Acres
Total		6.26
Wetlands	PEM1C	1.43
Wetlands	PF01/2F	0.57
Net		4.26

Jurisdictional wetlands on the Property have not been flagged. Wetlands limits will be determined prior to development and impacts to the identified wetlands will be permitted pursuant to SJRWMD regulations.

Using the U.S. Fish & Wildlife Service, National Wetlands Inventory wetlands mapper and the acreage measurement tool thereof, the Property contains approximately 1.43 wetlands acres with the classification code PEM1C, and 0.57 wetland acres with the classification code PF01/2F, as shown on the map attached as Addendum 1.

### Planning Principles

A small scale comprehensive plan amendment redesignating the Property on the Future Land Use Map from Rural Fringe (RF) to Commercial (COM) will be considered by Clay County concurrent with its consideration of this rezoning application to PCD. The Property is proximate to the First Coast Connector, a future four lane minor arterial road planned and funded by the County and scheduled to open for traffic in 2024. The alignment of an east-west section of the First Coast Connector traverses the Willow Springs North PUD where it forms an intersection at its western end with the north-south section of CR 315. From said intersection the First Coast Connector will continue west approximately three miles to an interchange with the portion of the First Coast Expressway currently under construction by the Florida Department of Transportation and scheduled to open for traffic in 2024. The southwest corner of the Property is located approximately 535 feet from said First Coast Connector intersection. The same southwest corner is also across CR 315 from the northeast corner of the recently approved Saratoga Springs East PCD (Ordinance No. 2022-24). The County has also planned and funded the widening of CR 315 from US 17 to the eastern terminus of the First Coast Connector at CR 315 near the northeast corner of the Property.

### Proposed Development

The proposed PCD will constitute infill whereby the Recreational Vehicle and Boat Storage conditional use specified herein will be situated between the commercial component of the Willow Springs North PUD and the section of CR 315 bordering the Property on its north. With an FAR of 40%, the maximum development potential of the Property for the conditional use is 109,178 square feet.

1. PCD Buffer

A fifty (50) foot buffer will be provided along the portion of the Property's east boundary adjacent to the residential component of the Willow Springs North PUD. The perimeter buffer shall consist of existing natural vegetation.

Upland buffers to wetlands on site will meet the requirements of the St Johns River Water Management District.

2. Access

Access to development on the Property will be from its west boundary on CR 315 in its north-south orientation. Construction of access and interior driveways shall comply with the County's standards set forth in the LDC.

3. Use

(a) The use of the Property will be limited to the Recreational Vehicle and Boat Storage conditional use, and all conditions will apply with the exception of the provisions of LDC Sec. 3-5 (ba)(1) which, for purposes of this PCD only, are revised to read as follows (deletion ~~stricken~~):

(1) ~~The proposed site must have direct access to a roadway defined in the Comprehensive Plan as major collector or above. Only one (1) point of access shall be permitted.~~

(b) Development Standards:

Minimum Lot Area	None
Maximum Lot FAR	40%

Setbacks:

Front (CR 315)	40 feet
Side	15 feet
Rear	20 feet

Maximum Building Height	35 feet
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(c) Buffers to Residential:

A minimum buffer of thirty feet shall be provided between the conditional use and adjacent residential single family lots or uses. The buffer type (fencing and landscaping) shall meet Clay County standards adopted at the time of development for buffering of the conditional use to the applicable residential development type.

(d) Lighting:

Lighting shall be governed by the standards established in Section C.I.8 of the Lake Asbury Master Plan Land Development Regulations.

(e) Parking:

Parking shall be provided consistent with LDC Article VIII.

4. Signage:

Signage shall be governed by the standards established in Section C.II.14 of the Lake Asbury Master Plan Land Development Regulations except that digital signage shall be permitted consistent with LDC Sec. 7-30(i).

5. Development Schedule:

Development of the Property will not be phased. Construction is anticipated to commence within 3 years of PCD approval. An application for Final Development Plan must be submitted within thirty months of approval of this PCD (provided there are no appeals or ongoing litigation).

