

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 CERTAIN REAL PROPERTY, FOR A SINGLE PARCEL (TAX PARCEL IDENTIFICATION #39-05-26-015159-000-00), TOTALING 4.22 ACRES, FROM ITS PRESENT ZONING CLASSIFICATIONS OF INTERMEDIATE BUSINESS DISTRICT (BB), COMMERCIAL AND PROFESSIONAL OFFICE DISTRICT (BA2) AND AGRICULTURAL/RESIDENTIAL DISTRICT (AR), TO PLANNED COMMERCIAL DEVELOPMENT DISTRICT (PCD); PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application PUD 24-0005, submitted by 3305 Hwy 17 GCS LLC, seeks to rezone certain real property totaling 4.22 acres (tax parcel identification # 39-05-26-015159-000-00) (the Property) described in Exhibit “A-1”, and depicted in Exhibit “A-2”.

Section 2. The Board of County Commissioners approves the rezoning request. The zoning of the Property is hereby changed from the present zoning classification of Intermediate Business (BB), Commercial and Professional Office (BA2) and Agricultural Residential (AR) to Planned Unit Development (PUD), subject to the conditions outlined in the PUD Written Statement, attached hereto as Exhibit “B”, and as set forth in the site plan attached hereto 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 COMP 24-0013 becoming effective.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of July, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Jim Renninger, Its Chairman

ATTEST:

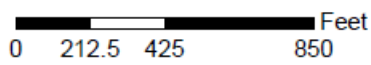
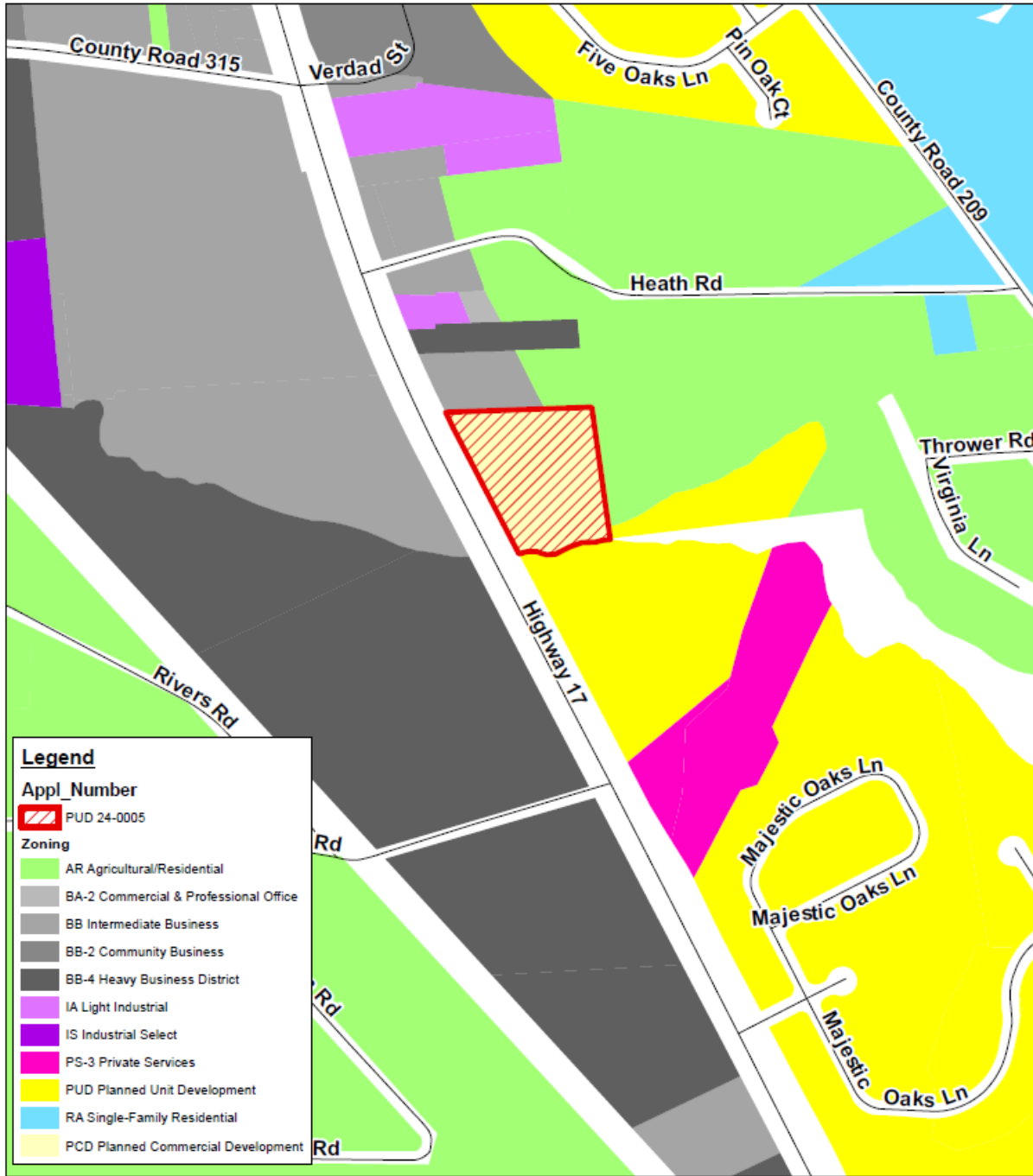
By: _____
Tara S. Green,
Clay County Clerk of Court and Comptroller
Ex Officio Clerk to the Board

Legal Description (Attachment A-3)

A portion of Lots 12, 13, 14 and 15, SPIKER'S LITTLE FARMS UNIT 1, Clay County, Florida, according to plat thereof recorded in Plat Book 3, page 12 of the public records of Clay County, Florida, said portion being more particularly described as follows:

Begin at the Northeast corner of said Lot 12; thence on the East line thereof and then on the East line of said Lots 13, 14 and 15, South 08 degrees 51 minutes 32 seconds East, 470 feet, more or less, to the waters of Clay Branch; thence along said waters in a Westerly direction 300 feet, more or less, to the Northeasterly right of way line of State Road No. 15 (US Highway No. 17); thence on said Northeasterly line North 28 degrees 22 minutes 50 seconds West, 376 feet, more or less, to the point of curvature of a curve concave Northeasterly and having a radius of 5661.58 feet; thence Northwesterly along the arc of said curve and on said Northeasterly right of way line of State Road 15, an arc distance of 132.32 feet to the Northerly line of said Lot 12, said arc being subtended to a chord bearing and distance of North 27 degrees 42 minutes 40 seconds West, 132.32 feet; thence on said North line of Lot 12, North 81 degrees 00 minutes 00 seconds East, 460.36 feet to the Point of Beginning.

Exhibit "A-2"



**Proposed Zoning
Rezoning: PUD 24-0005
from BB, BA-2, AR to PCD**



Exhibit "B"

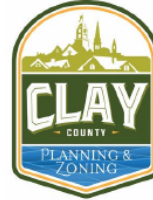


**Department of Economic and Development Services
Planning & Zoning Division**

P.O. Box 1366, Green Cove Springs, FL 32043

Phone: (904) 284-6300

www.claycountygov.com



PUD / PCD / PID WRITTEN STATEMENT EXHIBIT "B"

Name of Development: 3305 US 17		Net Acres: 2.77
Parcel ID #: 39-05-26-015159-000-00		Wetland Acres: 1.45
Total Number of Dwelling Units Proposed: 0		Total Acres: 4.22
Total Amount of Open Space: 1.5	Total Amount of Recreation: 0	Total Active Recreation: 0
Phase Schedule for Construction:	Construction of restaurant, patios, outdoor pavilion, parking and landscaping	
Permitted Uses:	Restaurants, including restaurants selling alcoholic beverages for on-premises consumption. Drive-in restaurants Night clubs, bars, taverns, and other establishments wherein alcoholic beverages are sold for on-premises consumption Event Venue Outdoor seating and music Commercial and professional offices Retail stores and shops Banks and financial institutions with drive-in facilities	
Conditional Uses:	None	
Permitted Accessory Uses and Structures:	Outdoor pavilion Enclosed storage facilities	
Restrictions of Uses:	None	

Design Guidelines		
A. Lot Requirements		
Minimum Lot Area: None	Minimum Lot Width at Bldg. Line: None	Minimum Lot Depth: None
Maximum Lot Coverage: 35%	Maximum Rear Lot Coverage: None	Maximum Bldg. Height: 45 ft.
Minimum Front Setback: 15 ft.	Minimum Side Setback: 30 ft.	Minimum Rear Setback: 30 ft.
Minimum Front Setback Intersecting Street:	Minimum Setback for Accessory Structures:	Same as all structures
	N/A	
Minimum Living Area: N/A		
B. Ingress, Egress, and Circulation		
<p>Parking Requirements: The parking requirements for this development shall be consistent with the requirements of Article VIII of the Land Development Code & the Branan Field & Lake Asbury Master Plans.</p>		
<p>Vehicular Access: Vehicular access to the property shall be by way of <u>U.S. Highway 17</u> Substantially as shown in the site plan. The final location of all access points is subject to the review of the Engineering/Public Works Department.</p>		
<p>Non-motorized Access: Non-motorized access shall be provided by sidewalks and pedestrian/bicycle paths installed in accordance with Article VIII of the Land Development Code and the Branan Field and Lake Asbury Master Plans.</p>		
C. Signs		
Signs shall be permitted separately from development plans and shall meet the requirements of the Article VII of the Land Development Code and the Branan Field and Lake Asbury Master Plans.		
D. Landscaping		
Flexibility in meeting the landscape requirements of Article VI of the Land Development Code and the Branan Field and Lake Asbury Master Plans is permitted for Planned Developments provided the outcome meets or exceeds the requirements of the Code. Indicate below what alternative landscaping will be provided or leave blank if the development will comply with the Code requirements.		
Shade Cover Points:	N/A	
Vehicle Use Area Landscaping:	Comply with the Article VI - Landscaping of the Clay County Land Development Code	
Street Trees:	N/A	
Right-of-way Buffers for Subdivision Development	N/A	
Perimeter Buffers:	20ft. "B" type landscaped buffer from any residential property	
Branan Field/Lake Asbury Non-Residential Standards	Lake Asbury lighting standards, to assure light does not spill on adjoining properties.	

E. Recreation and Open Space:		
Recreation for residential, non-residential and open space shall meet the minimum requirements of Article III of the Land Development Code.		
F. Utilities		
Water Provided By:City of Green Cove Springs		
Sanitary Sewer Provided By:City of Green Cove Springs		
Reuse Irrigation Provided By:City of Green Cove Springs (if available)		
Electric Provided By:City of Green Cove Springs		
Gas Provided By:		
G. Wetlands		
Wetlands will be delineated and permitted according to local, state, and federal requirements.		
H. Vegetation		
The following natural communities are present on the development site according to the County's Vegetation Map (Check all that apply)		
<input type="checkbox"/> Scrub	<input type="checkbox"/> Sandhill	<input type="checkbox"/> Scrubby Flatwoods
<input checked="" type="checkbox"/> Upland Coniferous	<input type="checkbox"/> Mesic Flatwoods	<input type="checkbox"/> Xeric Hammock
<input type="checkbox"/> Wet Flatwoods		
The occurrence of any of these communities may indicate the presence of endangered or threatened species which are regulated by State Agencies.		
All proposed developments in the Lake Asbury Master Plan area are required to submit an environmental assessment in accordance with LA FLP 1.2.4 of the 2040 Comprehensive Plan at the time of development review and prior to any land clearing or disturbance.		
I. Contact Information		
Owner / Agent Name:Janis K. Fleet, AICP		
Owner / Agent Address:11557 Hidden Harbor Way		
City:Jacksonville	State:Florida	Zip Code:32223
Owner / Agent Phone:904-666-7038 (office) 904-476-3220 (cell)		
Owner / Agent Email:jfleet@fleetarchitectsplanners.net		

Exhibit "C"

