



PLANNING COMMISSION MEETING

October 1, 2024

5:00 PM

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

Pledge of Allegiance

Call to Order

1. **Approval of Minutes**

Planning Commission Meeting Minutes August 29, 2024.

Public Comment

Public Hearings

1. Public Hearing to consider ZON 24-0017, LDC Text Change for Rock Crushing; Rock or Sand Storage Yards; and Stone Cutting. (M. Brown)
Land Development Code Change to amend the required standards for *Rock Crushing; Rock or Sand Storage Yards; and Stone Cutting* Conditional Use.
2. Public Hearing to Consider COMP 24-0016 and ZON 24-0019. (District 5, Comm. Burke) (J.Bryla)
 - A. COMP 24-0016
This application is a FLUM Amendment to change 1.72 acres from Agricultural (AG) to Industrial (IND)
 - B. ZON 24-0019
This application is a Rezoning to change from Agricultural District (AG) to Heavy Industrial District (IND).
3. Public Hearing to consider COMP 24-0018 and ZON 24-0024. (District 5, Comm. Burke) (J.Bryla)
 - A. COMP 24-0018
This application is a FLUM Amendment to change 32.78999 acres from Agricultural Residential (AR) to Industrial (IND).
 - B. ZON 24-0024
This Application is a Rezoning to change from Agricultural District (AG) to Heavy Industrial District (IB).
4. Public Hearing to consider COMP 24-0017 and ZON 24-0023. (District 5, Comm. Burke) (J.Bryla)
 - A. COMP 24-0017
This application is a FLUM Amendment to change 41.75 acres Agricultural Residential (AR) to Industrial (IND).

B. ZON 24-0023

This application is a rezoning to change from Agricultural Residential District (AR) to Heavy Industrial (IB).

Presentations

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, October 1 5:00 PM

TO: DATE:

FROM:

SUBJECT:

AGENDA
ITEM
TYPE:

ATTACHMENTS:

	Description	Type	Upload Date	File Name
▢	Planning Commission Meeting Minutes August 29, 2024	Backup Material	9/25/2024	PlanningCommission9.29.24ada.pdf



PLANNING COMMISSION MEETING MINUTES

August 29, 2024

5:00 PM

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

Pledge of Allegiance

Commissioner Bill Garrison led the Pledge of Allegiance.

Call to Order

Present: Commissioner Mary Bridgman, Chairman
Commissioner Pete Davis, Vice-Chairman
Commissioner Michael Bourré
Commissioner Bill Garrison
Commissioner Howard "Bo" Norton
Commissioner Ralph Puckhaber
Clay County School Board Representative Lance Addison

Absent: Commissioner Joe Anzalone
Camp Blanding Representative Sam Tozer

Staff Present: County Attorney Courtney Grimm
Assistant County Attorney Jamie Hovda
Assistant County Manager Chereese Stewart
Director of Planning and Zoning Beth Carson
Chief Planner Dodie Selig
Zoning Chief Mike Brown
Zoning Chief Jenni Bryla
Senior Planner Tanja McCoy

Chairman Mary Bridgman called the meeting to order at 5:00 pm.

Chairman Mary Bridgman introduced the Board members, recognized several staff members, including new Zoning Chief Jenni Bryla, congratulated Mr. Addison on his recent promotion, and thanked CCSO - Deputy Ash and Deputy Barnwell for providing security.

1. Approval of Minutes

Planning Commission Meeting Minutes August 6, 2024.

Commissioner Bill Garrison made a motion for approval of the August 6, 2024, Planning Commission meeting minutes, seconded by Commissioner Ralph

Puckhaber, which carried 7-0.

Public Comment

Chairman Mary Bridgman opened the floor for public comment at 5:02 pm.

Hearing no comments, Chairman Mary Bridgman closed public comment at 5:02 pm.

Public Hearings

1. Public Hearing to consider Transmittal of the EAR Amendments (D. Selig)
The State of Florida requires all local governments to evaluate and update their Comprehensive Plans every 7 years. This process is known as the Evaluation and Appraisal Report (EAR). (*Section 163.3191 F.S.*) This staff report summarizes the outcome of Staff's evaluation of the current comprehensive plan based on the State's guidelines.

EAR discussion can be seen at [www.calycountygov.com/government/clay-county-tv-and-video-archive/August 29, 2024](http://www.calycountygov.com/government/clay-county-tv-and-video-archive/August%2029,%202024), beginning at 3:19 and ending at 37:09. Below is a summary of the discussion and the vote for this agenda item.

Dodie Selig, Chief Planner, presented a PowerPoint presentation regarding the public hearing to consider the transmittal of the Evaluation and Appraisal Report (EAR) Amendments. See Attachment A. The State of Florida requires all local governments to evaluate and update their Comprehensive Plans every seven years. The staff report summarizes the outcome of evaluating the current comprehensive plan based on the state's guidelines. See Attachment A.

There were questions and discussions regarding the building design element and planning horizon language, 10-year vs. 20-year plan, clarification of the population projections, creation of language for business parks, specific elements updates, school district updates, changes in the process for making updates and evaluations, public involvement, entitled building information, local needs or concerns feedback from business owners/citizens, future code changes, and review of the comments received back from the state.

Chairman Mary Bridgman opened the floor for the public hearing at 5:36 pm.

Hearing no comments, Chairman Mary Bridgman closed the public hearing at 5:36 pm.

Commissioner Ralph Puckhaber made a motion for approval of the staff report, seconded by Commissioner Bo Norton, which carried 6-0.

2. Public Hearing to consider ZON 24-0022 (County Wide Article II Amendment) (T. McCoy)
This application is a proposed repeal and replacement of Article II, to include procedures for residential development prior to approval and recording of a final plat.

ZON-24-0022 discussion can be seen at [www.calycountygov.com/government/clay-county-tv-and-video-archive/August 29, 2024](http://www.calycountygov.com/government/clay-county-tv-and-video-archive/August%2029,2024), beginning at 37:11 and ending at 54:09. Below is a summary of the discussion and the vote for this agenda item.

Tanja McCoy, Senior Planner, presented a PowerPoint presentation regarding the public hearing to consider ZON-24-0022, a proposed repeal and replacement of Article II, to include procedures for residential development prior to approval and recording of a final plat. See Attachment B.

There were questions and discussions regarding the number of permits allowed, SB812, statutory requirements, addressing issues after development has started, opting "in", existing process vs. state-mandated process, recording of the plat, and clarifying the process with the changes.

Chairman Mary Bridgman opened the floor for the public hearing at 5:52 pm.

Hearing no comments, Chairman Mary Bridgman closed the public hearing at 5:52 pm.

Commissioner Ralph Puckhaber made a motion for approval of the staff report, seconded by Vice-Chairman Pete Davis, which carried 6-0.

3. Public Hearing to Consider ZON 24-0020 (M. Brown)

Land Development Code Change to add a new Conditional Use of Rural Event Venue.

ZON-24-0020 discussion can be seen at [www.calycountygov.com/government/clay-county-tv-and-video-archive/August 29, 2024](http://www.calycountygov.com/government/clay-county-tv-and-video-archive/August%2029,2024), beginning at 54:13 and ending at 1:07:44. Below is a summary of the discussion and the vote for this agenda item.

Mike Brown, Zoning Chief, presented a PowerPoint presentation regarding the public hearing to consider ZON-24-0020, Land Development Code Change to add a new Conditional Use of Rural Event Venue. See Attachment C.

There were questions and discussions regarding language regarding youth camp, corrections, buffer requirements, and clarification for type E buffering and opacity.

Chairman Mary Bridgman opened the floor for the public hearing at 6:06 pm.

Hearing no comments, Chairman Mary Bridgman closed the public hearing at 6:06 pm

Commissioner Ralph Puckhaber made a motion for approval of the staff report, seconded by Commissioner Bo Norton, which carried 6-0.

Presentations

There were no other presentations.

Old Business/New Business

There was no old/new business discussions.

Public Comment

Chairman Mary Bridgman opened the floor for public comment at 6:07 pm.

Hearing no comments, Chairman Mary Bridgman closed public comment at 6:07 pm.

Adjournment

Chairman Mary Bridgman noted the next Planning Commission meeting will be held on Tuesday, October 1, 2024.

Hearing no further business, Chairman Mary Bridgman adjourned the meeting at 6:08 pm.

Attest:

Committee Chairman

Recording Deputy Clerk

Attachment
“A”
Evaluation and Appraisal
Report Amendments

Evaluation and Appraisal Report (EAR) Amendments:
COMP 24-0019

Board of County Commissioners
September 10, 2024



Comprehensive Plan Update Process

The State of Florida requires all local governments to evaluate and update their Comprehensive Plans every 7 years. This process is known as the Evaluation and Appraisal Report (EAR).

The EAR Amendment must be transmitted to the State under the State Coordinated Review process prior to October 1, 2024.

The State will issue an Objection, Recommendation and Comments Report (ORC) within 60 days of their receipt of the amendment.

An adoption hearing for this amendment will then be scheduled.

Changes not covered by this Amendment

- The textual changes proposed in this EAR Amendment do not affect any individual property.
- Likewise, the Future Land Use Map update will not change the future land use designation or increase the density of any property.
- The proposed map updates will change the map date in order to be consistent with the new planning horizon as required by statute.

Comprehensive Plan Review

Staff have reviewed the current 2040 Comprehensive Plan and identified needed updates. These changes fall into two categories:

1. STATUTORY-BASED CHANGES

Updates required due to changes in state law which have taken place since the last EAR update was done in 2017.

2. LOCAL NEED-BASED CHANGES

Updates required in order to keep the Comprehensive Plan consistent with the Land Development Code and to reflect any changes needed to address local issues.

Year	Statutory Change	F.S. Section
2021	Building Design Elements	163.3202
	Building design elements may not be applied to a single-family or two-family dwelling unless "the dwelling is located in a planned unit development [...] approved by the local governing body before July 1, 2023.	
2022	Floating Solar Facilities	163.32051
	Requires a floating solar facility to be a permitted use in the appropriate land use categories. Requires land development regulations to promote expanded uses of floating solar facilities.	
2023	Electrical Substations	163.3177(5)(a)
	New and existing electrical substations must be permitted in all land use categories and no size limitations can be enforced.	
2023	New Planning Horizon	163.3177(5)(a)
	Requires the comprehensive plan to include two planning periods; one covering at least the first 10-year period occurring after the plan's adoption and one covering at least a 20-year period.	

Population Projections for Clay County

Total Population (including municipalities)

Year	Middleburg/ Clay Hill	Doctors Inlet/ Ridgewood	Gateway	Fleming Island	Springs	Penney Farms/ Lake Asbury	Keystone Heights	Total
2015	19,304	81,331	25,173	27,926	14,682	15,365	17,724	201,505
2020	18,325	85,998	24,716	27,960	17,440	26,166	17,639	218,245
2025	17,625	92,037	24,641	28,430	20,489	37,450	17,828	238,500
2030	16,601	96,427	24,116	28,384	23,178	48,101	17,693	254,500
2035	17,456	99,904	25,217	28,379	25,027	53,616	18,300	267,900
2040	18,025	101,724	25,903	27,895	26,470	58,278	18,604	276,900
2045	18,483	102,941	26,432	27,258	27,743	62,546	18,798	284,200

Sources: BEBR, Florida Population Studies, Vol. 57, Bulletin 198, January 2024 and the 2045 Northeast Regional Planning Model from the North Florida TPO. Municipality Estimates and projections by Shimberg Center for Housing Studies, based on 2010 and 2020 U.S. Census data and population projections by the Bureau of Economic and Business Research, University of Florida.

Population Projections for Clay County

Total Population (unincorporated county only)

Year	Middleburg/ Clay Hill	Doctors Inlet/ Ridgewood	Gateway *	Fleming Island	Springs*	Penney Farms/ Lake Asbury*	Keystone Heights*	Total
2015	19,304	81,331	16,537	27,926	6,518	14,591	16,344	182,551
2020	18,325	85,998	15,627	27,960	7,654	25,345	16,193	197,103
2025	17,625	92,037	15,308	28,430	9,392	36,595	16,350	215,737
2030	16,601	96,427	14,556	28,384	10,729	47,218	16,186	230,101
2035	17,456	99,904	15,534	28,379	11,386	52,716	16,780	242,156
2040	18,025	101,724	16,202	27,895	11,826	57,369	17,083	250,125
2045	18,483	102,941	16,725	27,258	12,214	61,629	17,279	256,528

Sources: BEBR, Florida Population Studies, Vol. 57, Bulletin 198, January 2024 and the 2045 Northeast Regional Planning Model from the North Florida TPO. Municipality Estimates and projections by Shimberg Center for Housing Studies, based on 2010 and 2020 U.S. Census data and population projections by the Bureau of Economic and Business Research, University of Florida.

Local Need-Based Changes

There are 2 types of local need-based changes.

Procedural changes which fall into the following general categories:

- Maps
- Reference citations
- Level of service standards
- Outdated requirements or dates
- Name or spelling errors
- Table footnotes

Table 7 - FDOT and TPO 5-Year Transportation Improvement Program

Facility	Project	Phase	Segment	2024-25	2025-26	2026-27	2027-28	2028-29
S.R. 21	Intersection Improvement	Multiple	S. of Wells Road to Duval County Line	\$11,097,585				

Source: North Florida TPO, Transportation Improvement Program, FY 2025-2029, Adopted 6-13-2024

Local Need-Based Changes

Other changes that are more substantive in nature. The purpose of which include:

- Correction of issues that have arisen based on omissions
- Correction of conflicts with other portions of the comprehensive plan
- Changes made to provide greater clarity of intent, purpose or measurement

Other Areas of Change

Clarified that up to 20 lots may access a single access easement only for "existing" easements.	Added Rural Fringe and Urban Fringe to be consistent with the FLU table
Changed measurement of distance to nearest service from radius measurement to sidewalk or driving distance	Amended policy to provide monitoring for fiscal responsibility
Created a Business Park category	Added "gross" to density in BF-AC and BF-CC to be consistent with other BF FLU categories
Corrected a confusing reference to multiple development types.	created policy to address LA-COM land use category
Changed term to "priority review" for consistency	Standardized reference to Village Center and Interchange Village Center

Recommendation

COMP 24-0019:

Staff recommends Transmittal of COMP 24-0019.

B

Attachment
“B”
ZON-24-0022



PLANNING COMMISSION

ZON-24-0022

Code Change LDC

Public Hearing

August 29, 2024

APPLICATION INFORMATION

Applicant: Clay County Department of Economic and Development Services

Request: Article II Repeal and Replace to allow for updated platting process and removal of outdated portions of the Land Development Code.

Location: County Wide

BCC Hearings September 10, 2024 @ 5:00 pm (Adoption)

PROPOSED CHANGE

- ✓ Re-number the table of contents to reflect the changes.
- ✓ Move the location of minor subdivision to just above major subdivision to increase readability of the code.
- ✓ Update old language and add new process information throughout Article II.
- ✓ Add New Preliminary Plan and the Preliminary Platting processes in response to new State Legislation:
 - o Sec.2-8
 - o Sec.2-11
 - o Sec.2-12
 - o Schematic update

PROPOSED TEXT CHANGE

Sec. 2-2. Development Review Categories

- (5) Minor Subdivision – A minor subdivision shall consist of any new subdivision of land into three to five lots, or any re-subdivision of land that does not create more than two new lots from the original parent tract of land, and for which all of the following apply:
- (a) The construction or alteration of a stormwater retention area or underground stormwater drainage system is not required; and
 - (b) The construction, alteration, or extension of any public or private road or utility is not required.
 - (c) Lots are created through the heirs and homestead provisions provided in Section 20.3-10 are exempt from the minor subdivision review and platting process.

PROPOSED TEXT CHANGE

Sec. 2-8.(5) Major Subdivision Review Process

(d) Plan Content - A preliminary plan required under this section shall include the following elements: a cover sheet, a geometry plan, a paving, grading and drainage plan, an erosion control plan, a landscape plan, utility plans, Early Subdivision Development plan, and construction details. If the development proposes the widening, resurfacing, or any other type of alteration to an existing arterial or collector roadway, or, the development requires a local road to have an open cut of pavement or a lane closure during construction or for safety reasons, a maintenance of traffic plan that of Uniform Traffic Control Devices shall a

9. Early Subdivision Development Plan- when building more than ten units prior to plat recording the plan sheets must clearly identify and include:
 - a. Which unit will be built prior to plat recordation.
 - b. Recreation and open space to be built based on the units being built.
 - c. Fire department access plan for building access and development access. The plan will need to identify the access width and roadway material detail. Roadway signage plan to identify roadways. Fire protection plan to identify the water supply for the site.
 - d. Maintenance of drainage plan during and after construction must be identified on the plans.

PROPOSED TEXT CHANGE

Sec. 2-12. Development Permits

- (1) Building Permits – Building permits shall be issued only after an application for a building permit has been submitted and deemed complete by the Building Division. An application for a Building Permit shall not be deemed complete until the following documents are submitted and approved:
- (a) A site plan approved by Zoning, Engineering and Landscaping;
 - (b) An approved permit for onsite sewage disposal (if applicable);
 - (c) A complete set of construction plans prepared by a Florida Licensed design professional that include a floor plan; foundation plan; floor/roof framing plan or truss layout; energy forms; all fenestration penetrations; flashing; and rough opening dimensions; and all exterior elevations and any other documents required by the Florida Building Code.

PROPOSED TEXT CHANGE

Sec. 2-12.(2) Development Permits

(b) Residential – An application for a building permit for a residential development categorized as a minor or major subdivision shall be submitted only after compliance with the following requirements and verification from the Building Division received:

1. Option 1 Model homes – allows for the building of 3 model homes per builder to a maximum of 10 model homes per subdivision without submittal and approval of a preliminary plat. An application for a building permit may be requested after the waiver of option 2 and approval of the final site plans before the recording of the final plat.
2. Option 2 Early Subdivision Development- When more than the homes allotted in Option 1 will be built per phase prior to the recording of the final plat an application for a building permit may be requested only after the plans and preliminary plat requirements as identified in sec. 2-8. (5)(d)9 and sec.2-13 have been approved, and the applicant has indemnified Clay County, its governing body, its employees and its agents from liability or damage resulting from Early Subdivision Development.

PROPOSED TEXT CHANGE

Sec. 2-13. Platting Process

- (1) Intent – The intent of the platting process is to create a uniform and equitable review process that provides for the adherence to this code during the subdivision of lands. The platting process is the culmination of the land subdivision process. When approved and duly recorded as provided by law, the recorded plat becomes a permanent public record of the survey of the lots or parcels, rights-of-way, easements, and public lands.

- (2) Applicability – The following provisions for the platting of land shall be required for all residential subdivisions and re-plats. Roadway plats are required for the dedication of any public right-of-way in excess of one hundred feet. Preliminary plats are required when Option 2 Early Subdivision Development is chosen by the developer and more than ten residential units subject to the plat will be built and unoccupied before the final plat is recorded.

- (3) Preliminary Plats- The preliminary plat shall contain all of the requirements of a plat listed in Sec. 2-13. (4) below and must clearly identify:
 - (a) Which units will be built prior to plat recordation.

 - (b) Recreation and open space requirements to be built based on the number units being built.

PROPOSED TEXT CHANGE

Sec. 2-13. Platting Process

(4) Plat Submission – Plat materials, plans, and fees shall be submitted electronically to the Department of Development Services for distribution and review. The plat shall meet

the requirements of this article and Florida Statutes, and must include:

- (a) Proof of a valid performance bond for up to 130 percent of the necessary improvements, that have not been completed as defined in FS. 177.031(9), upon submission of the application under this section. For purposes a master planned community as defined in FS. 163.3202(5)(b), a valid performance bond is required on a phase-by-phase basis.
- (b) Proof that the applicant has provided a copy of the preliminary plat, along with the approved civil plans, to the relevant electric, gas, water, and wastewater utilities
- (c) CAD files formatted as required by Clay County GIS.

RECOMMENDATION

Staff recommends approval of ZON 24-0022

QUESTIONS

B

Attachment
“C”
ZON-24-0020



PLANNING COMMISSION

ZON-24-0020

Code Change

August 29, 2024

APPLICATION INFORMATION

Applicant: Clay County Department of Economic and Development Services

Request: Add New Conditional Use – Rural Event Venue

RURAL EVENT VENUE

Would allow uses associated with Rural Event Center, Youth Camp, and/or Retreat Center. Ownership could be private-for-profit or not-for-profit.

Conditional use allowed in:

- Branan Field Rural Suburbs
- Lake Asbury Rural Community
- Agricultural Zoning District
- Agricultural/Residential Zoning district.

STANDARDS FOR RURAL EVENT VENUE

Minimum 50 acres in size

Access by paved road

Perimeter buffer min. width 75 ft. Type B buffer requirements.

Must receive approval as Rural Event Venue prior to commencing operations

RV site can comprise 20% of property (max density of 12 RV sites per acre)

RV design guidelines same as in Campground and Youth Camp conditional use

Held events must comply with the requirements of the Clay County Event Ordinance where applicable.

Provisions of Sec. 15-5 of the Clay County Code (Noise) will apply for amplified or percussive sound except for Thursday between 5 p.m. and 10 p.m., Friday and Saturdays between 9:00 a.m. and 11:00 p.m. and Sundays between 10 a.m. and 5:00 p.m.

RURAL EVENT VENUE

- Have received some interest from land owners for such a use
- Rural Event Center no longer option
- Youth Camp and Retreat Center is required to be operated by non-profit organizations
- Tourism Division has indicated a desire for such a use in the County.

QUESTIONS



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, October 1 5:00 PM

TO: Planning Commission

DATE: 9/13/2024

FROM: Mike Brown, Zoning
Chief

SUBJECT: Land Development Code Change to amend the required standards for
Rock Crushing; Rock or Sand Storage Yards; and Stone Cutting Conditional Use.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

The applicant is requesting an amendment to the required standards for the Rock Crushing; Rock or Sand Storage Yards; and Stone Cutting conditional use to remove the requirement that central sewer and water must be available. Rock Crushing; Rock or Sand Storage; and Stone Cutting is only allowed as a conditional use in IB Heavy Industrial zoning district. There are two areas in the County where IB zoning is presently located; one area is south of Green Cove Springs primarily along U.S. 17 and the second area is along U.S. 301 from CR 218 north to the county line. Both of these areas lack central water and sewer service, The limited availability of central utilities to these existing IB areas restricts the ability to locate/develop businesses that require central sewer an water as a condition of approval. There are other opportunities for providing adequate water supply besides central water for the processing of product and for dust suppression at these type facilities.

Is Funding Required (Yes/No):
No

If Yes, Was the item budgeted
(Yes\No\N/A):
No

N/A

Advanced Payment

Sole Source (Yes\No): (Yes\No):
Yes **Yes**

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

Hearing Type: First Public Hearing

Initiated By:

Applicant - Crystal Bui, Riverstone Construction

ATTACHMENTS:

Description	Type	Upload Date	File Name
▢ Ordinance ZON 24-0017	Ordinance	9/25/2024	Ordinance__ZON-24-0017_Draftada.pdf
▢ Staff Report ZON 24-0017	Backup Material	9/25/2024	Staff_Memo_ZON_24-0017_Draftada.pdf
▢ Application ZON 24-0017	Backup Material	9/25/2024	Concrete_Recycling_Yard_Applicationada.pdf
▢ Affidavit	Backup Material	9/25/2024	Affidavit_for_ZON_24_0017ada.pdf

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, BEING THE CODIFICATION OF ORDINANCE NO. 93-16, AS SUBSEQUENTLY AMENDED, AND COMPRISING THE ZONING AND LAND USE PROVISIONS, BY AMENDING SECTION 3-5(BK), THE CONDITIONAL USE FOR ROCK CRUSHING; ROCK OR SAND STORAGE YARDS; AND STONE CUTTING, TO DELETE SUBSECTION (2) CONCERNING THE REQUIREMENT THAT CENTRAL SEWER AND WATER MUST BE AVAILABLE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Board desires to amend certain provisions in Article III, Section 3-5(bk). of the Clay County Land Development Code, as provided for below.

Be it ordained by the Board of County Commissioners of Clay County that:

Section 1. As used in Section 2, 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, as subsequently amended, and comprising the Zoning and Land Use Land Development Regulations.

Section 2. Section 3-5(bk), Article III is hereby amended as follows:

Sec. 3-5 (bk) Rock Crushing; Rock or Sand Storage Yards; and Stone Cutting.

(1) Must be at least five hundred (500) feet from any residential district.

~~(2) Central sewer and water must be available.~~

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

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

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

ATTEST

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

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

BY: _____
Jim Renninger, Its Chairman



Staff Report Land Development Code Text Amendment ZON 24-0017

Applicant: Crystal Bui, Riverstone Construction

Introduction

This is an application by Crystal Bui, owner of Riverstone Construction, to amend Article III, Sec. 3-5 (bk) Rock Crushing, Rock or Storage Yards; and Stone Cutting conditional use of the Land Development Code.

Description

The applicant is requesting an amendment to the required standards for the Rock Crushing; Rock or Sand Storage Yards; and Stone Cutting conditional use to remove the requirement that central sewer and water must be available. Rock Crushing; Rock or Sand Storage; and Stone Cutting is only allowed as a conditional use in IB Heavy Industrial zoning district. There are two areas in the County where IB zoning is presently located; one area is south of Green Cove Springs primarily along U.S. 17 and the second area is along U.S. 301 from CR 218 north to the county line. Both of these areas lack central water and sewer service, although certain area south of the City of Green Cove Springs can obtain central sewer and water from the City. The limited availability of central utilities to these existing IB areas restricts the ability to locate/develop businesses that require central sewer and water as a condition of approval. There are other opportunities for providing adequate water supply besides central water for the processing of product and for dust suppression at these type facilities.

The applicant is seeking to located a rock crushing/recycling facility on heavy industrial zoned property in the area of S.R. 100 and CR 218. There are no central utilities in this area of the County. The requested change to the Land Development Code would allow for the location of rock crushing/recycling facility at the location.

Proposed Text Changes to Sec. 3-5(bk)

(bk) *Rock Crushing; Rock or Sand Storage Yards; and Stone Cutting.*

(1) Must be at least five hundred (500) feet from any residential district.

~~(2) Central sewer and water must be available.~~

Recommendation

Staff recommends approval of proposed change to Section 3-5(bk) to remove the requirement that central sewer and water be available for Rock Crushing; Rock or Sand Storage Yards; and Stone Cutting conditional use.



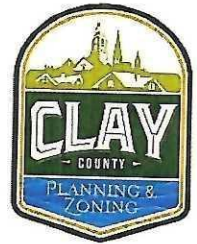
Department of Economic and Development Services

Planning & Zoning Division

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

Phone: (904) 284-6300

www.claycountygov.com



ZONING CODE TEXT AMENDMENT APPLICATION

Applicant/ Property Owner's Name: <u>Crystal Bui</u>		
Address: <u>6510 Columbia Park Dr.</u> <u>Suite 105</u>		
City: <u>Jacksonville</u>	State: <u>FL</u>	Zip Code: <u>32258</u>
Phone: <u>904-674-2051</u>	Email: <u>cbui@riverstoneconst.com</u>	

Text amendment Information

Property Information (if applicable)

Parcel Identification Number: <u>17-04-23-000120-005-01</u>		
Address: <u>County Road 218</u>		
City: <u>Jacksonville</u>	State: <u>FL</u>	Zip Code: <u>32234</u>
Number of Acres: <u>16.88 Acres</u>	Current Zoning: <u>Heavy Industrial</u>	Current Land Use: <u>None</u>
Property Will be Used as:	<u>Concrete Crushing/ Recycling Facility</u>	

Required Attachments

Deed Survey Site Plan Copy of Current Text Copy of Proposed Amendment

Written Statement: A complete narrative describing the purpose and intent of the proposed amendment, why the amendment is sought, How the proposed amendment is consistent with, or carries out the intent and purpose of, the Clay County Comprehensive Plan, and why it is in the public interest to consider the amendment. All other circumstances, factors, and reasons' that the applicant offers to justify approval of the request.

The amendment to the plot of land is sought to enable the establishment and facilitate the operations of a concrete recycling yard. With the desire to make a difference in the environment, we plan to open a facility for demolition companies and individuals to drop off excess materials to our facility. We accept concrete, clean fill, and topsoil in our facility. All acceptable material will be separated and processed following the Lean Six Sigma standards. By crushing and recycling concrete and demolition materials, we keep heavy, non-compactable rubble out of the waste stream and reduce airspace in the landfill, which helps reduce unnecessary waste and promotes a clean environment. The recycled material will be re-used by construction companies and FDOT projects for roads and freeways which will save volumes of money and natural resources. The success of the facility setup will create between twelve (12) to 15 (fifteen) local jobs.

Furthermore, I am a woman and a minority in business. I own a civil construction company called Riverstone Construction in the South Jacksonville area. At Riverstone Construction, we focus on site development projects for all military branches, and we employ multiple veterans on our team. Our plan with the recycling yard is to continue to enhance our environment and to support veterans while giving back to our military community.

Application Certification

I, hereby certify 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 text amendment 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.

Owner's Signature:

Crystal Bui

Date: *6/25/24*

Printed Name:

Crystal Bui

The rest of this space is intentionally left blank

CLAY TODAY

PUBLISHER AFFIDAVIT

**PUBLISHER AFFIDAVIT
CLAY TODAY**
Published Weekly
Fleming Island, Florida

STATE OF FLORIDA
COUNTY OF CLAY:

Before the undersigned authority personally appeared Hugh Osteen, who on oath says that he is the publisher of the "Clay Today" a newspaper published weekly at Fleming Island in Clay County, Florida; that the attached copy of advertisement being a Legal Notice

In the matter of ZON 24-0017

LEGAL: 123258

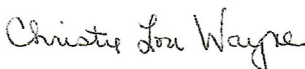
Was published in said newspaper in the issues:

9/19/2024

Affiant Further says that said "Clay Today" is a newspaper published at Fleming Island, in said Clay County, Florida, and that the said newspaper Has heretofore been continuously published in said Clay County, Florida, Weekly, and has been entered as Periodical material matter at the post Office in Orange Park, in said Clay County, Florida, for period of one year next preceeding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to me and subscribed before me 09/19/2024




NOTARY PUBLIC, STATE OF FLORIDA

3513 US HWY 17 Fleming Island FL 32003
Telephone (904) 264-3200
FAX (904) 264-3285
E-Mail: legal@claytodayonline.com
Christie Wayne christie@osteenmediagroup.com

14 CLAY TODAY • September 19, 2024

CLAYTODAYONLINE.COM

Bridge to Bridge floats support to Quigley House, Vineyard Transitional

FLEMING ISLAND — The Clay County Chamber of Commerce Bridge to Bridge, a geographic networking group focusing on the Fleming Island and Green Cove Springs area, recognized two essentially important nonprofits with annual awards to further their causes. At the last monthly Baptist Medical Center Clay meeting, each received checks from money collected during the previous fiscal year. "How can we help them? How can we provide safety to them? How can we say yes to our community and help those in need? So anytime you want to know anything, ask," said Quigley House Chief Executive Director Julia Edwards after accepting her check. "I'm very transparent on who we are and what we do. Please reach out to me, and thank you for this." Pastor John Sanders is raising funds to rebuild The Vineyards Transitional Center, it's a temporary home for newly released inmates from the Clay County Jail who need a place to gain work and life skills so they don't wind up behind bars. "We want to give people the opportunity to have a place to stay, with a lot of training and a lot of business partnerships to train these men and women to get good jobs with businesses. We thank the Chamber and Bridge to Bridge." From left, Quigley House Director of Development Jackie Krug and Edwards, John Bridge to Bridge Chair Helma Cormier and Sanders during the check presentation at the recent Clay Chamber monthly event.



NOTICE OF PROPOSED CHANGE TO THE CLAY COUNTY LAND DEVELOPMENT CODE

THE PUBLIC IS HEREBY NOTIFIED that the Planning Commission of Clay County, Florida, will hold a public hearing on Tuesday, October 1, 2024, at 5:00 p.m., or as soon thereafter as can be heard, and that the Board of County Commissioners of Clay County, Florida, will hold two public hearings, one on Tuesday, October 8, 2024 at 5:00 p.m. or as soon thereafter as can be heard, and one on Tuesday, October 22, 2024 at 5:00 p.m., or as soon thereafter as can be heard. The hearings will be held in the Board of County Commissioners Meeting Room, 4th Floor, Clay County Administration Building, 477 Houston St. Green Cove Springs, Florida. The Ordinance to be transmitted is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, BEING THE CODIFICATION OF ORDINANCE NO. 93-16, AS SUBSEQUENTLY AMENDED, AND COMPRISING THE ZONING AND LAND USE PROVISIONS, BY AMENDING SECTION 3-5(B)(6), THE CONDITIONAL USE FOR ROCK CRUSHING; ROCK OR SAND STORAGE YARDS; AND STONE CUTTING, TO DELETE SUBSECTION (2) CONCERNING THE REQUIREMENT THAT CENTRAL SEWER AND WATER MUST BE AVAILABLE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Interested parties may appear at the hearings and be heard with respect to the proposed ordinance. After the public hearings the Board may take immediate action on the proposed ordinance, or may continue its deliberations to a date, time and place then announced without publishing further notice thereof. A copy of the proposed ordinance is available for inspection by the public at the Clay County Planning and Zoning Division, Third Floor of the Administration Building, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding legal holidays.

Pursuant to Section 286.0105, Florida Statutes, a person deciding to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the hearings or at any subsequent hearing to which the Board has continued its deliberations is advised that such person will need a record of all proceedings and may need to ensure that a verbatim record of all proceedings is made, which must include the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, any person needing accommodations to participate in this matter should contact Clay County Risk Management by mail at P.O. Box 1366, Green Cove Springs, Florida 32043, or by telephone at (904) 278-4718, no later than three (3) days prior to the hearing or proceeding for which this notice has been given. Deaf and hard of hearing persons can access the telephone number by contacting the Florida Relay Service at 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD).

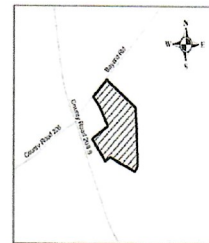
Clay County Board of County Commissioners

Legal 123258 published September 19, 2024 in Clay County's Clay Today Newspaper.

NOTICE OF PROPOSED CHANGE TO THE CLAY COUNTY 2040 COMPREHENSIVE PLAN

THE PUBLIC IS HEREBY NOTIFIED that the Planning Commission of Clay County, Florida, will hold a public hearing on Tuesday, October 1, 2024, at 5:00 p.m., or as soon thereafter as can be heard, and that the Board of County Commissioners of Clay County, Florida, will hold a public hearing on Tuesday, October 22, 2024 at 5:00 p.m., or as soon thereafter as can be heard. The hearings will be held in the Board of County Commissioners Meeting Room, 4th Floor, Clay County Administration Building, 477 Houston St. Green Cove Springs, Florida. The public hearings are scheduled for the purpose of considering the adoption of a small-scale amendment to the Future Land Use Map of the Clay County 2040 Comprehensive Plan. The ordinance adopting the proposed amendment is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2040 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2018-31, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF A SINGLE PARCEL, TRX PARCEL IDENTIFICATION # 39-05-26-016503-006-00, TOTALING APPROXIMATELY 32.79 ACRES, FROM AG (AGRICULTURAL) TO IND (INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.



Interested parties may appear at the hearings and be heard with respect to the proposed ordinance. After the public hearings the Board may take immediate action on the proposed ordinance, or may continue its deliberations to a date, time and place then announced without publishing further notice thereof. A copy of the proposed ordinance is available for inspection by the public at the Clay County Planning and Zoning Division, Third Floor of the Administration Building, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding legal holidays.

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Clay County Board of County Commissioners

Legal 123262 published September 19, 2024 in Clay County's Clay Today Newspaper.



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, October 1 5:00 PM

TO: Planning Commission

DATE: 8/2/2024

FROM: Jenni Bryla, Zoning Chief

SUBJECT:

A. COMP 24-0016

This application is a FLUM Amendment to change 1.72 acres from Agricultural (AG) to Industrial (IND)

B. ZON 24-0019

This application is a Rezoning to change from Agricultural District (AG) to Heavy Industrial District (IND).

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

Planning Requirements:

Public Hearing Required (Yes/No):

Yes

Hearing Type: First Public Hearing

Initiated By: Applicant

Owner: The Lemen Family Declaration of Revocable Trust

Agent: Kelly Hartwig

ATTACHMENTS:

Description	Type	Upload Date	File Name
Staff Report for COMP 24-0016_public Ordinance	Cover	9/25/2024	Staff_Report_COMP_24-0016_bc_jb.pdf
COMP 24-0016_public application_public	Memo	9/20/2024	COMP_24-0016_Legal_Ad-FINAL.pdf
staff Report for	Backup Material	9/20/2024	Admendment_to_the_comprehensive_plan_application_v1_(5).pdf

- Staff Report for
ZON 24-0019 public Cover Memo 9/24/2024 Staff_Report_ZON-24-0019_bc_jb.pdf
- Ordinance ZON 24-0019_public Ordinance 9/20/2024 ZON_24-0019_Ordinance-Final.pdf
- application_public Backup Material 9/20/2024 Rezoning_Application_603_County_Road_226_v1.pdf



1 **Staff Report and Recommendations for COMP 24-0016**

2

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

5

6 **Owner / Applicant Information:**

Owner: The Lemen Family Declaration of Revocable Trust **Address:** 3957 Susan Drive
Green Cove Springs, FL 32043
Agent: Kelly Hartwig
Phone: 904-759-9576
Email: siteopt@bellsouth.net

7

8 **Property Information**

Parcel ID: 01-07-26-015737-001-01 **Address:** 603 County Road 226
Current Land Use: AG (Agricultural) **Current Zoning:** AG (Agricultural)
Proposed Land Use: IND (Industrial) **Acres:** 1.72 +/- acres
Commission District: 5, Comm. Burke **Planning District:** Springs

9

10 **Introduction:**

11 This is a privately initiated application for a Small-Scale Comprehensive Plan Amendment to the
12 2040 Future Land Use Map (FLUM). The application would change a single parcel approximately 2
13 acres in size of land from AG (Agricultural) to IND (Industrial). The property is currently vacant.
14 The subject parcel lies in between the active CSX rail line and CR 209 S and bound by CR 226 on the
15 north. The parcel directly to the east across CR 209 S is a homesteaded residential property with an
16 AG Future Land Use and a home located in the extreme northeast corner adjacent to Bayard Rd.

17

18 The remaining parcels, to the west and south of subject property, are owned by the St John's River
19 Water Management District and therefore have limited ability to develop. The parcels to the north
20 of the subject property have a Future Land Use of Industrial and are in a Heavy Industrial (IB)
21 Zoning district. As discussed, the property is adjacent to the active CSX railroad line and in close
22 proximity to the proposed First Coast Expressway. As the transportation investments that support
23 a heavy industrial use are in place, or will be within the short term, the expansion of the Industrial
24 district is an appropriate request. The requested change is supported by the Clay County 2040
25 Comprehensive Plan through objective EDE 1.2 which states:

26

27 EDE OBJ 1.2 Clay County shall ensure an adequate supply of land uses that support a viable
28 economy and allow for employment generation such as office and industrial uses on
29 the Future Land Use Map (FLUM).

30 EDE POLICY 1.2.1 Clay County shall prioritize the land use planning of sites meeting
31 the locational requirements of identified targeted/key industries and basic industries
32 uses in appropriate and compatible locations and recognize this priority during the
33 review of plan amendments, rezoning requests, site plan approvals and permitting
34 processes.

35
36 The Applicant does not currently have an end user for the land, but is setting the table for a future
37 heavy industrial user as the 2040 County Comprehensive Plan calls for. A companion Rezoning
38 application from AG to IB follows this comprehensive plan amendment request.

39
40

Figure 1 – Location Map

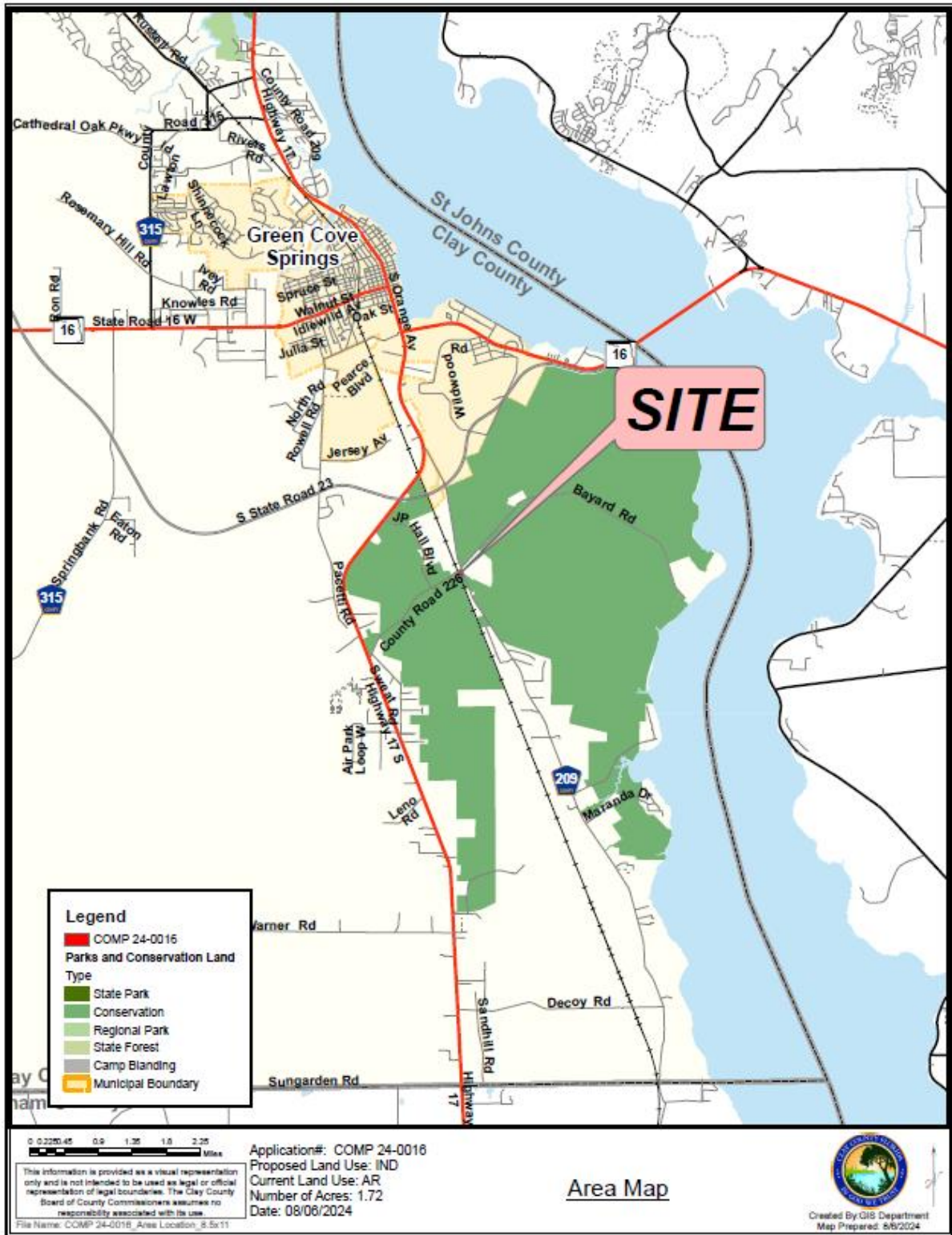


Figure 2 – Parcel Map

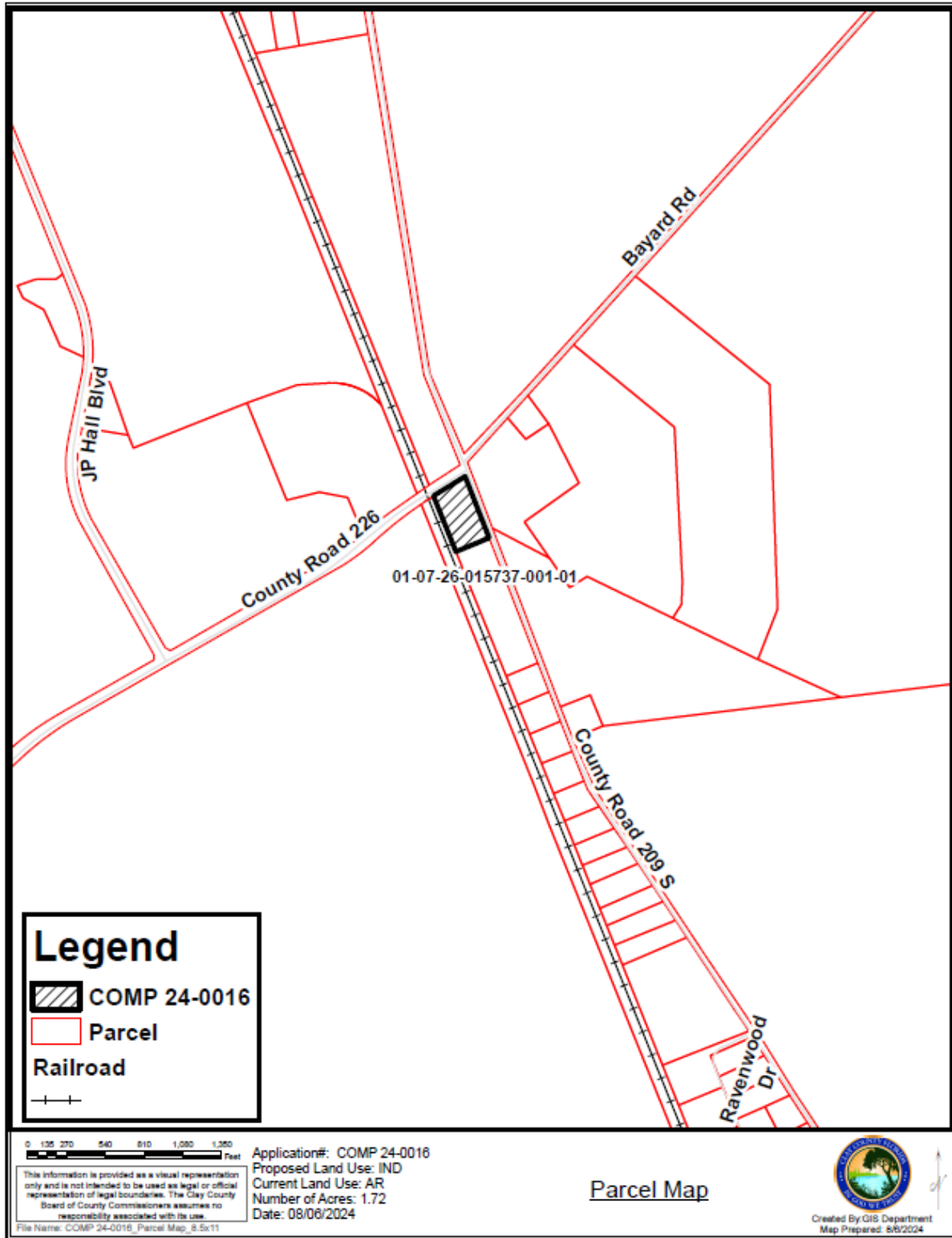


Figure 3 - Aerial Photo



Figure 4 – Existing Future Land Use Designation Map

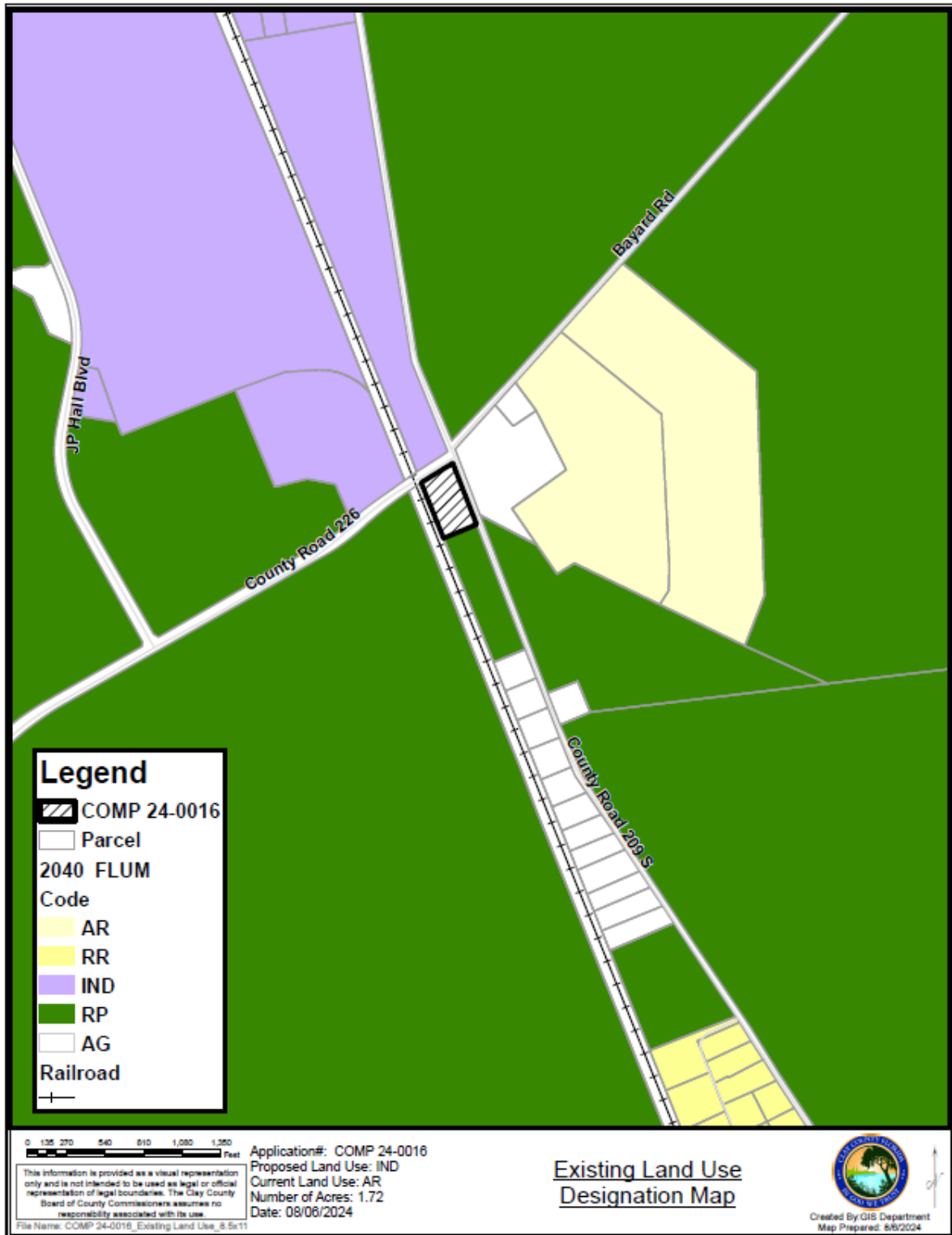


Figure 5 – Proposed Future Land Use Designation Map

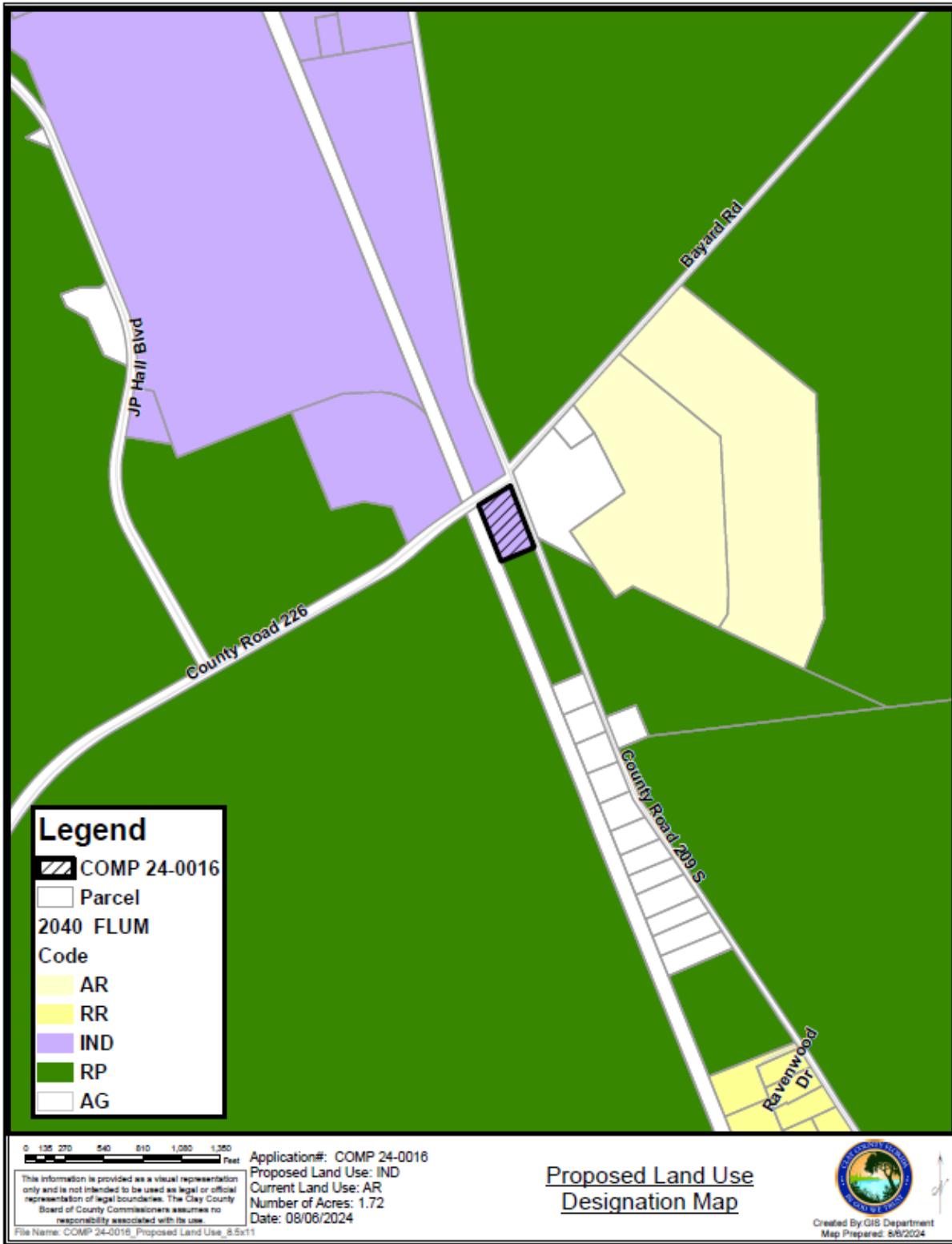
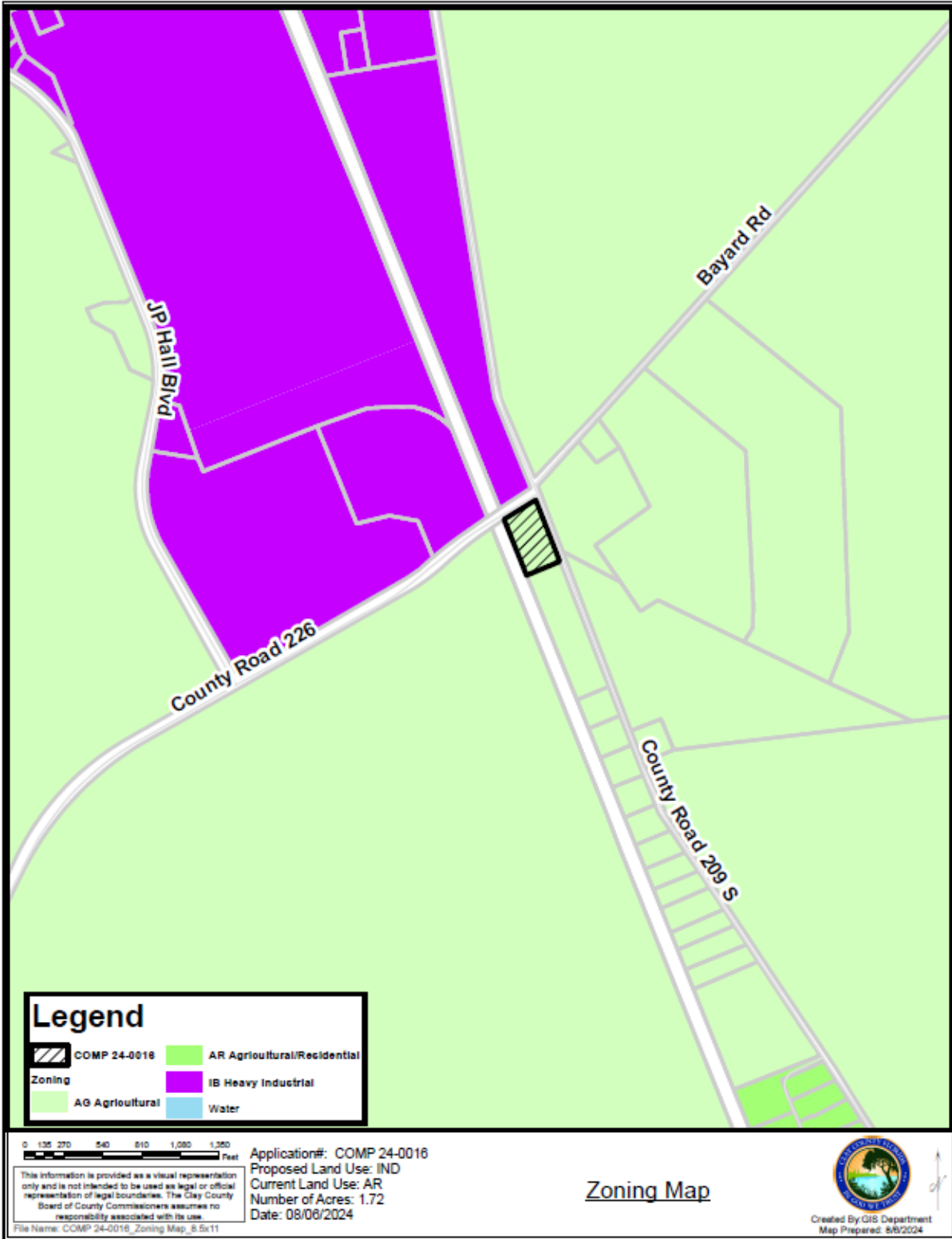


Figure 6 – Zoning Map



53 **Availability of Services**

54 **Traffic Facilities:**

55 The County's Mobility Fee will apply to development of this property.

56 **Schools:**

57 There are no residential uses associated with this land use change.

58

59 **Recreation:**

60 There are no residential uses associated with this land use change, therefore no recreational uses are
61 required.

62

63 **Water and Wastewater:**

64 It appears that infrastructure is able to be provided by the CCUA just north of the site. The Applicant will
65 need to provide a will serve letter to the County prior to building permit issuance.

66

67 **Stormwater/Drainage:**

68 Stormwater management for any new construction will need to meet County and Water Management District
69 standards.

70 **Solid Waste:**

71 Clay County has existing solid waste capacity to service to the area.

72 **Land Suitability:**

73 **Soils:**

74 The soils on the site are adequate for development. See Figure 7.

75 **Flood Plain:**

76 The subject site contains a small area to the south that is in Flood Zone A. The owner will have to either need
77 leave this portion undeveloped or meet the FEMA criteria for development. Development impacts within
78 any floodplain area on the subject parcel will be required to be mitigated. See Figure 8.

79 **Topography:**

80 The subject parcel generally drains from the north down to the floodplain. There is roughly seven to ten feet
81 of slope from the high along the northern edge of the subject parcel to a low along the southern parcel
82 boundary line. See Figure 9.

83 **Regionally Significant Habitat:**

84 There have been black bear sightings to the north and bald eagle nests to the northeast of the subject parcel.
85 See Figure 10.

86 **Historic Resources:**

87 There are no historic resource structures on the subject parcel although historic structure locations have been
88 mapped to the east and west of the subject parcel. See Figure 11.

89 Compatibility with Military Installations:
90 The subject property is not located near Camp Blanding.
91

Figure 7 – Soil Map

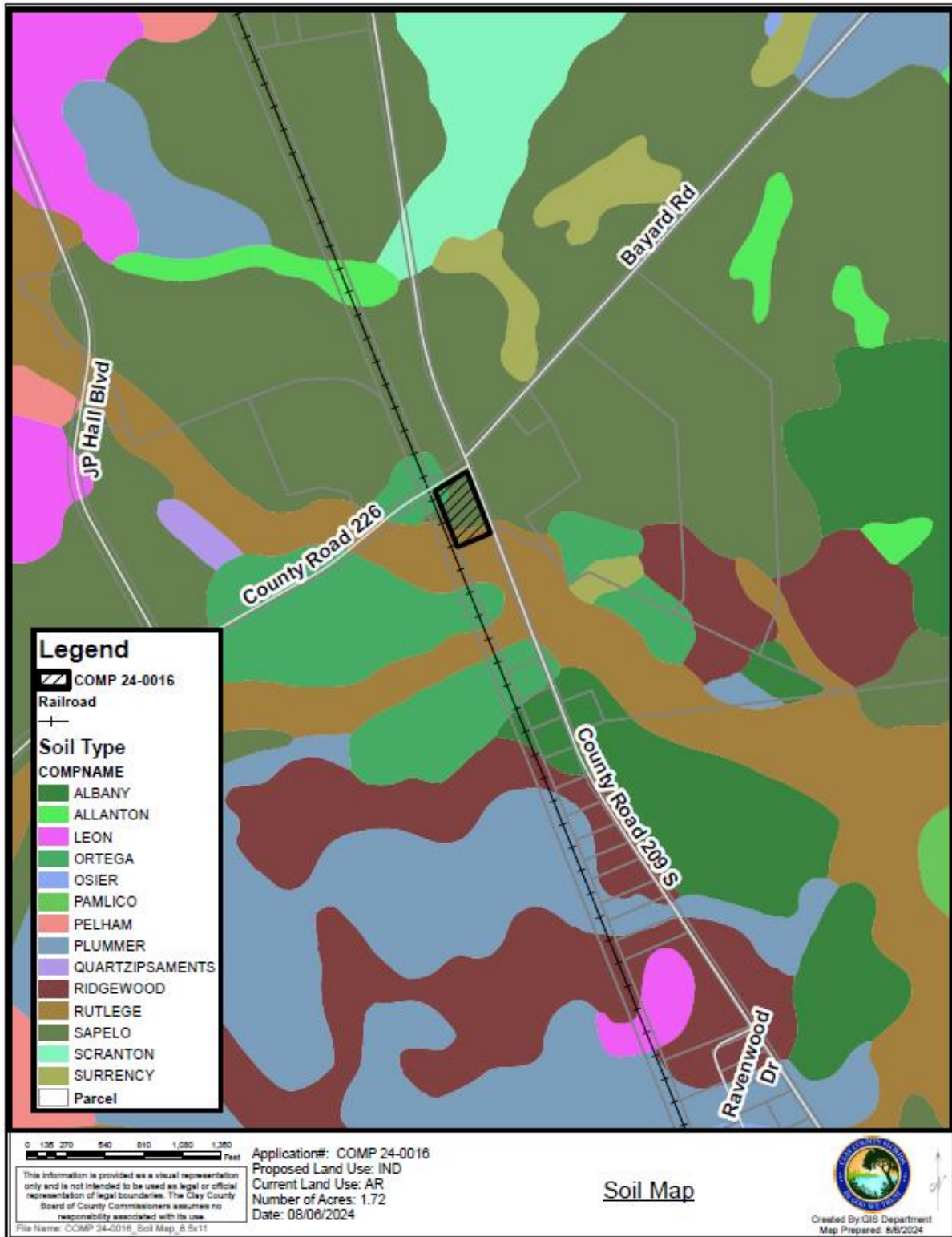


Figure 8 – Flood Zone Map

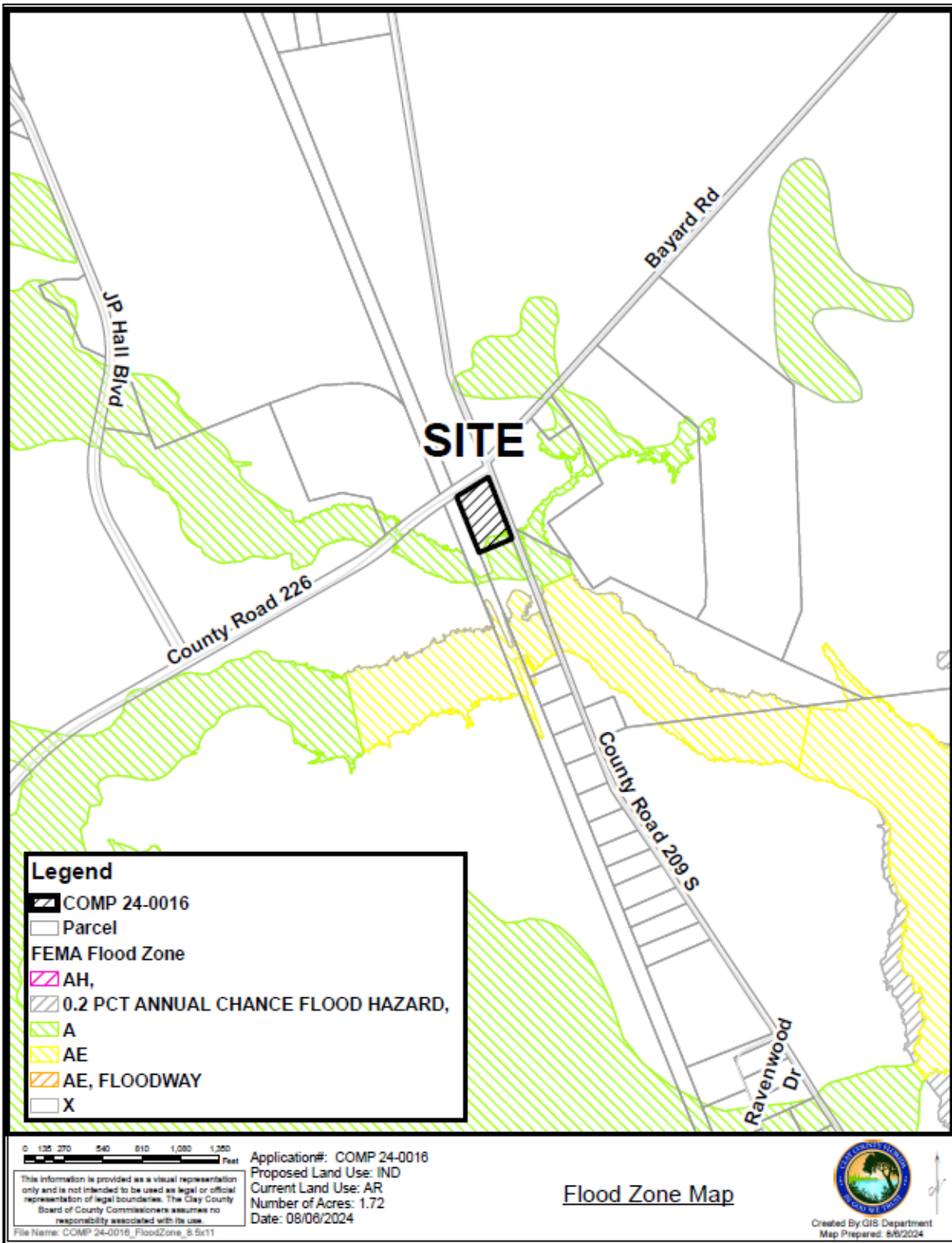


Figure 9 – Topography Map

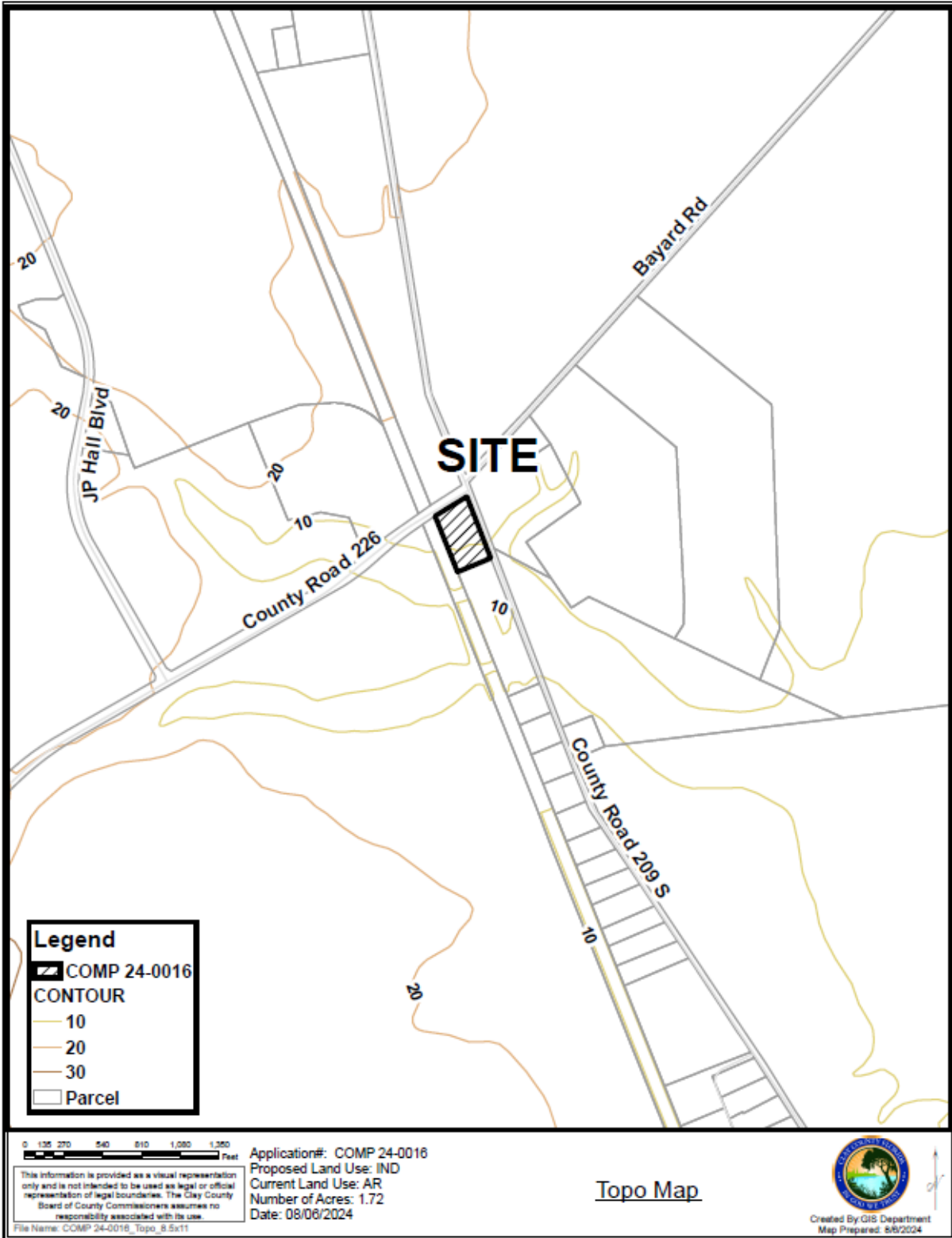


Figure 10 – Habitat Value Map

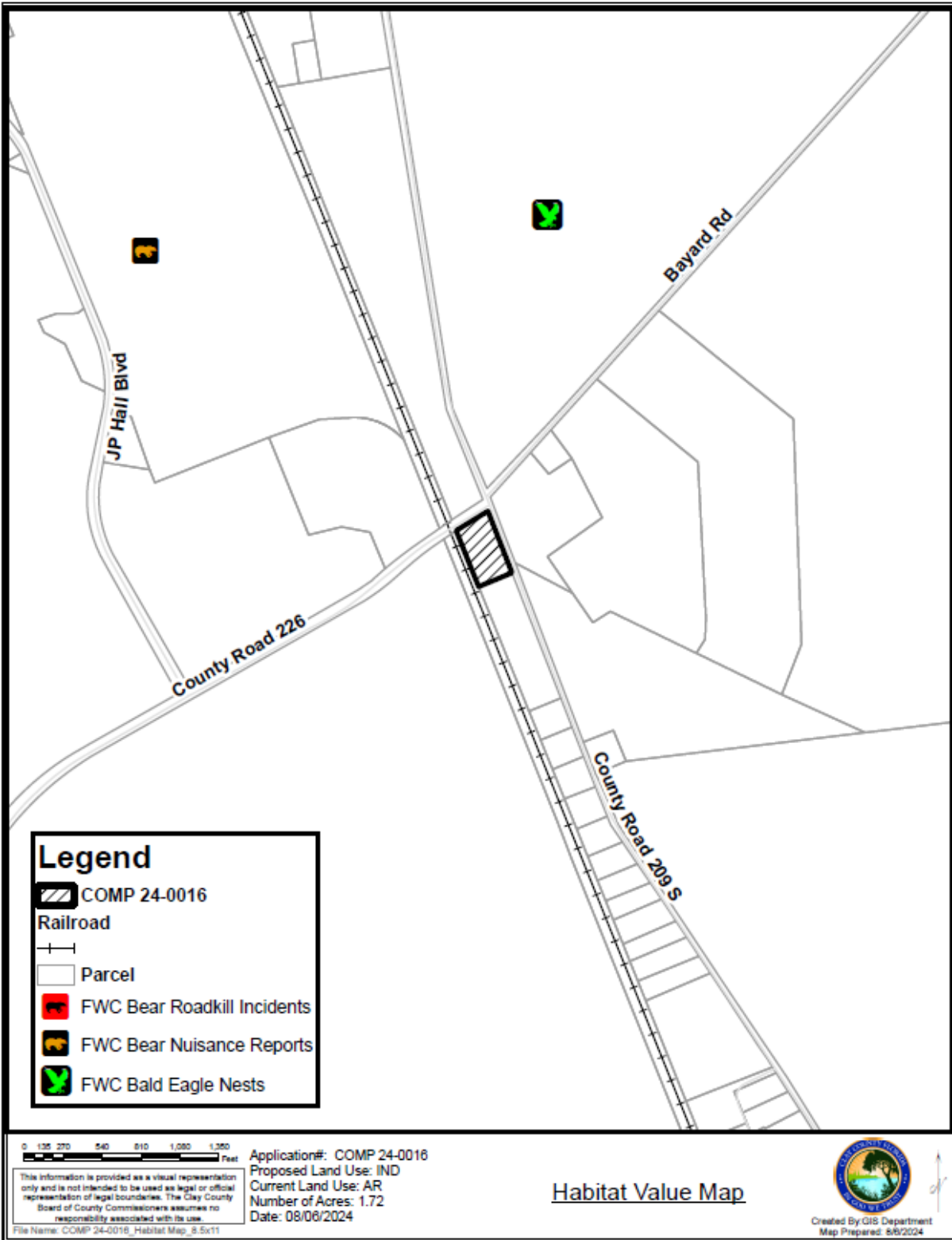
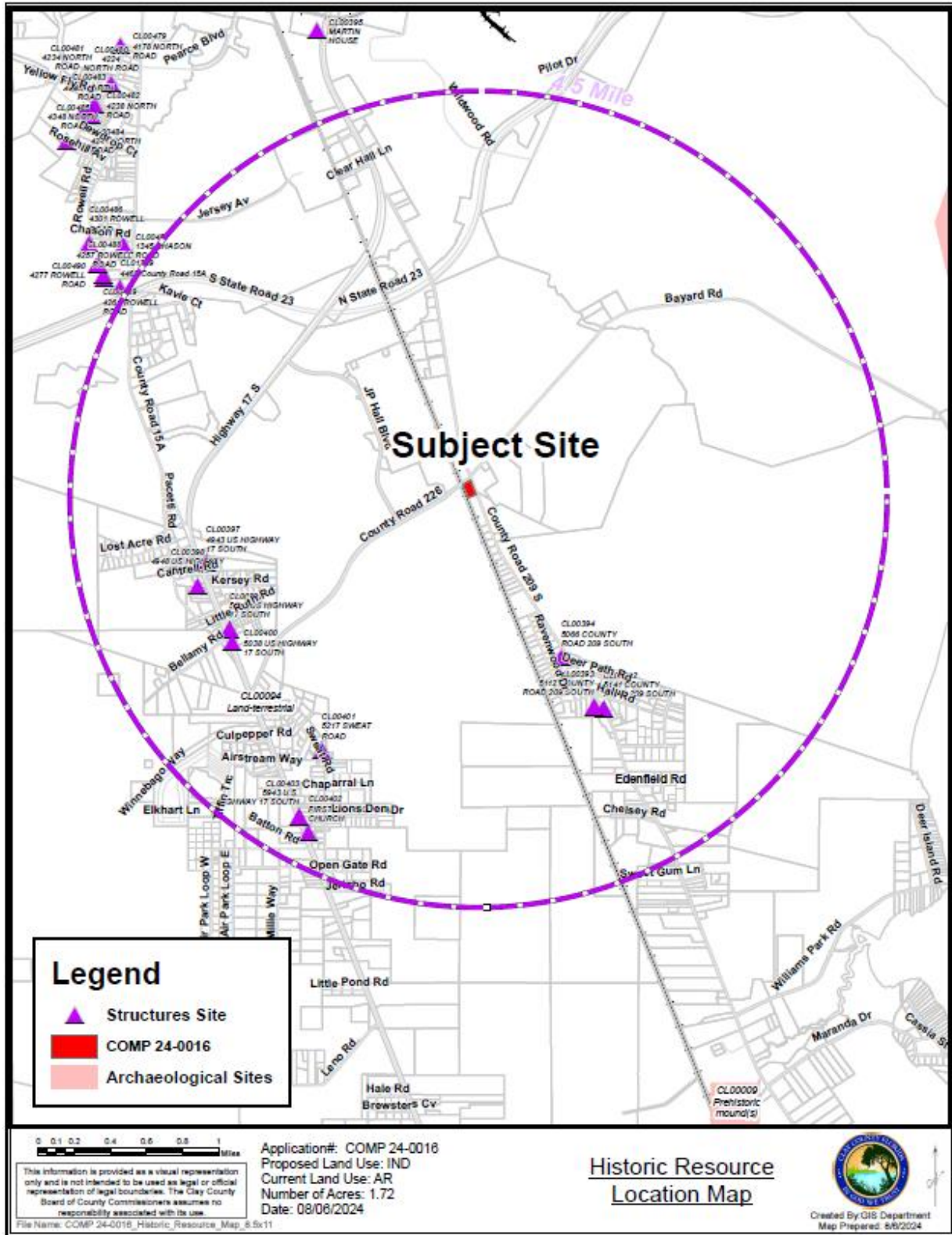


Figure 11 - Historical Resources



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

103 The following Goals/Objective/Policies relate to the proposed Comprehensive Plan Amendment:

104 The subject property currently has a land use designation of AG (Agricultural) The following
105 Comprehensive Plan policy describes the AG designation and permitted development density.

106 FLU Policy 1.4.1.1 Agricultural (AG)

107 Agriculture – “AG” (Rural): This classification is intended for those areas of the County designated
108 as appropriate locations for all types of agricultural pursuits including crop production, pasture land
109 for grazing cattle and horse farming, timber production, and cover crops for soil regeneration.
110 Agricultural lands account for an important segment of the Clay County economy and play a vital
111 role in the conservation of the County's natural resources. These uses are generally characterized by
112 being situated in areas removed from urban services, having very sparse densities and exhibiting a
113 rural character. The Plan recognizes the value of these lands for agricultural and silvicultural
114 activities, at both a small and large scale, and, therefore, recognizes their potential suitability for
115 limited residential development at a density of one unit per twenty gross acres.

116 This application proposes to change the land use of the subject property to Industrial IND land use. The
117 following Comprehensive Plan policy describes the IND land use designation and permitted development
118 density.

119 FLU Policy 1.4.1.12 Industrial (IND)

120 Industrial – “IND”: This designation accommodates the full range of industrial activities. The
121 specific range and intensity for uses appropriate in a particular industrial area varies by location as a
122 function of the availability of public services and access, and compatibility with surrounding uses
123 shown on the Future Land Use Map. Through the zoning review process the use of particular sites
124 or areas may be limited to allowable uses specified and defined by the Land Development Regulations.

125 The Comprehensive Plan goes on to say in the following policy the importance of strategically placing
126 land uses in proximity to the transportation investments, like the First Coast Expressway, that will ensure
127 economic activity as the industrial land uses.

128 EDE POLICY 1.2.5 Clay County shall work with its partners to ensure the First Coast Expressway is
129 strategically incorporated into the County’s Future Land Use planning framework to ensure the
130 infrastructure investment is maximized to support long-term transportation and economic
131 development efforts.

132 Analysis Regarding Urban Sprawl

133 It is the intent of Clay County to discourage the proliferation of Urban Sprawl. As required by FS 163.3177,
134 all proposed comprehensive plan amendments will be determined to discourage urban sprawl if four or more
135 of the conditions are met.

136 (I) Directs or locates economic growth and associated land development to geographic areas of the
137 community in a manner that does not have an adverse impact on and protects natural resources and
138 ecosystems.

139 *The proposed amendment continues the pattern of Industrial Land Uses from the north and in essence*
140 *creates an edge to the use as the surrounding lands are in preservation.*

141 (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and
142 services.

143 *The proposed amendment will be able to capitalize on the infrastructure investment that has already been*
144 *made or will be in place in the near future, thereby reducing the need for additional systems.*

145 (III) Promotes walkable and connected communities and provides for compact development and a mix
146 of uses at densities and intensities that will support a range of housing choices and a multimodal
147 transportation system, including pedestrian, bicycle, and transit, if available.

148 *The proposed amendment creates a continuation of the industrial lands creating a cohesive Industrial*
149 *park concept, which allows for an additional economic generator for the County and an employment hub.*

150 (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime
151 farmlands and soils.

152 *The proposed amendment continues the pattern of Industrial Land Uses from the north and in essence*
153 *creates an edge to the use as the surrounding lands are in preservation.*

154 **Staff Finding: Based on the four criteria above the proposed amendment will not constitute sprawl.**

155 **Analysis of Surrounding Uses**

156 The proposed future land use amendment would change the acreage of a single parcel of land (1.72 acres)
157 from AG (Agriculture) to IND (Industrial). This change would be in keeping with the evolving character of
158 the surrounding districts as shown in the table below:

	Future Land Use	Zoning District
North	Industrial	IB (Heavy Industrial)
South	Recreation/Preservation	AG (Agriculture)
East	Agriculture	AG (Agricultural)
West	Recreation/Preservation	AG (Agricultural)

159

160 **Recommendation**

161 Based on the above criteria, Staff recommends **approval** of the small scale Comprehensive Plan amendment
162 COMP 24-0016.

To be advertised:

Thursday, September 19, 2024

Proof Required Prior to Publication

Not in Legal Section

No less than 2 columns by 10 inches

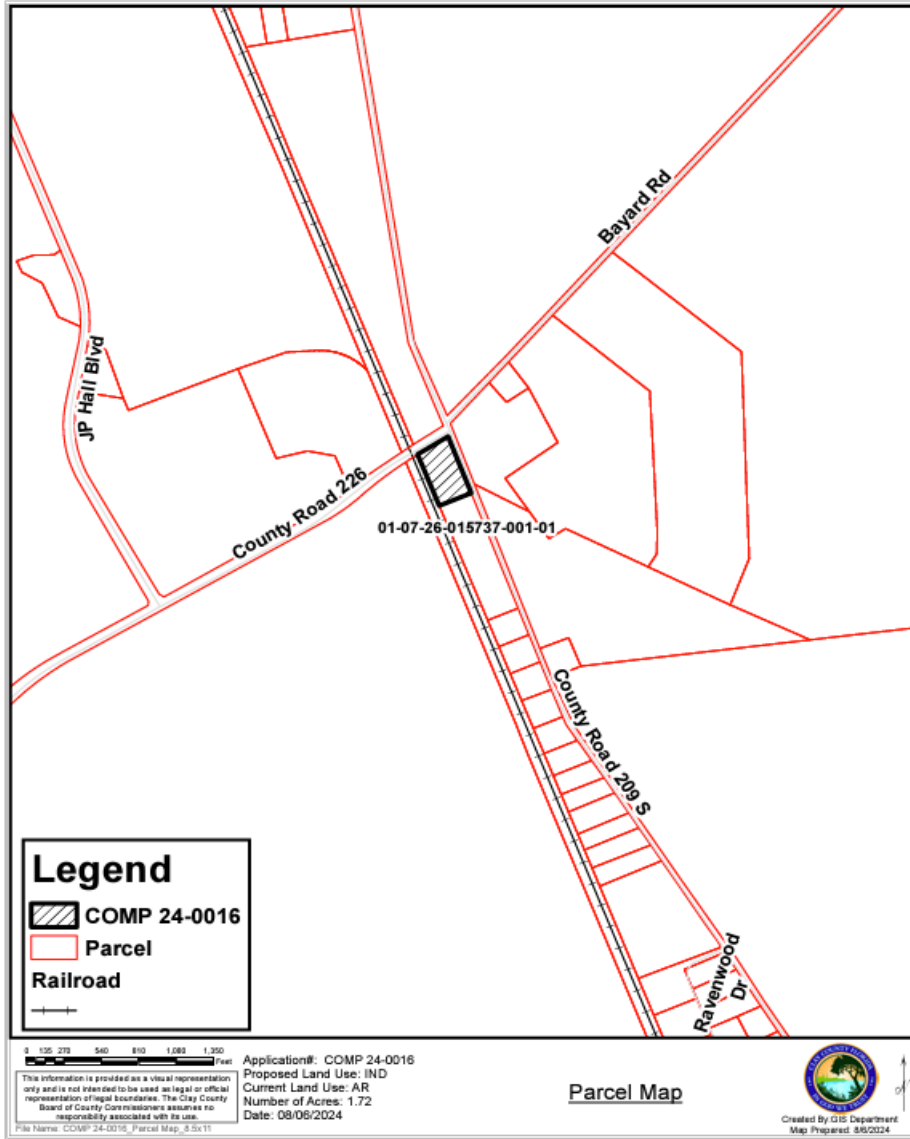
18 pt. Title, 8 point type

----- BEGINNING OF NOTICE -----

NOTICE OF PROPOSED CHANGE TO THE CLAY COUNTY 2040 COMPREHENSIVE PLAN

THE PUBLIC IS HEREBY NOTIFIED that the Planning Commission of Clay County, Florida, will hold a public hearing on Tuesday, October 1, 2024, at 5:00 p.m., or as soon thereafter as can be heard, and that the Board of County Commissioners of Clay County, Florida, will hold a public hearing on Tuesday, October 22, 2024 at 5:00 p.m., or as soon thereafter as can be heard. The hearings will be held in the Board of County Commissioners Meeting Room, 4th Floor, Clay County Administration Building, 477 Houston St, Green Cove Springs, Florida. The public hearings are scheduled for the purpose of considering the adoption of a small-scale amendment to the Future Land Use Map of the Clay County 2040 Comprehensive Plan. The ordinance adopting the proposed amendment is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2040 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2018-31, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF A PORTION OF A SINGLE PARCEL (TAX PARCEL IDENTIFICATION # 01-07-26-015737-001-01), TOTALING APPROXIMATELY 1.72 ACRES, FROM AG (AGRICULTURAL) TO IND (INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.



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Clay County Board of County Commissioners

-----END OF NOTICE-----

Contact Information:

Please send Proof of Publication to:

Jenni Bryla

jenni.bryla@claycountygov.com

Bill Account # 63510

Applicant responsible for Billing:

Kelly Hartwig

PO Box 8880

Fleming Island, FL 32206

siteopt@bellsouth.net

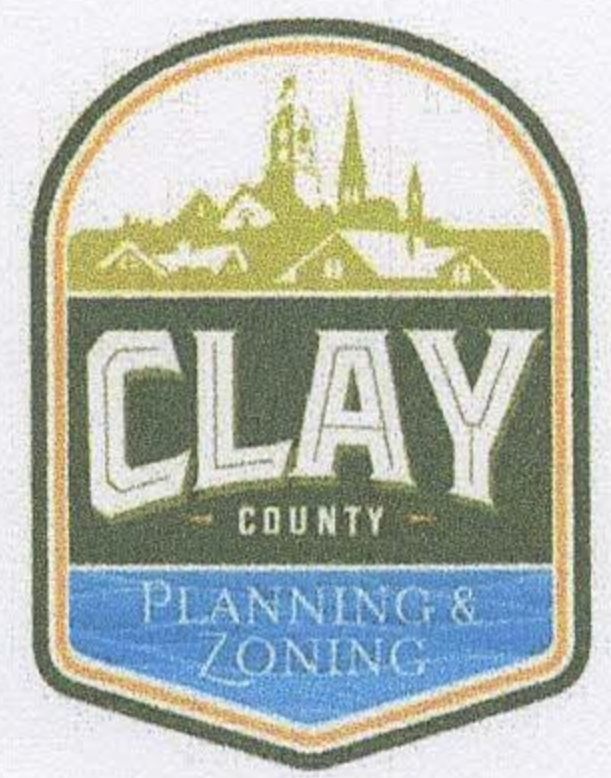


Department of Economic and Development Services
Planning & Zoning Division

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

Phone: (904) 284-6300

www.claycountygov.com



Pre-Application Meeting Date:		CAC Meeting Date (if applicable):
Date Rec:	Received By:	IMS #:

Amendment to the Comprehensive Plan Application

Owner's Name: The Lemen Family Declaration of Revocable Trust		If the property is under more than one ownership please use multiple sheets.
Owner's Address: 3957 Susan Dr		
City: Green Cove Springs	State: FL	Zip Code: 32043
Phone: 904-759-9576	Email: siteopt@bellsouth.net	

Parcel Information

Parcel Identification Number Including Section, Township and Range: 01-07-26-015737-001-01		
Address:		
City: Green Cove Springs	State: FL	Zip Code: 32043
Current Land Use: AG	Proposed Land Use: IND	
Total Acreage: 1.72	Adjacent Land Use North: IND	
Adjacent Land Use South: AG	Adjacent Land Use East: AG	
Adjacent Land Use West: RP		

Required Attachments

<input type="checkbox"/> Agents Authorization Attachment A-1	<input type="checkbox"/> Owner's Affidavit Attachment A-2	<input type="checkbox"/> Legal Description Attachment A-3
<input type="checkbox"/> Aerial Photograph (folded to 8 1/2" x 11")	<input type="checkbox"/> Property Deed(s)	<input type="checkbox"/> Survey

Statement of Purpose, Scope and Justification (at a minimum) statements and supporting material of the following:

- Proposed Density and/or Intensity of Use
- Urban Sprawl
- Site Suitability
- Recreation Impacts and Improvements**
- Traffic Impacts and Improvements**
- Stormwater / Drainage Impacts and Improvements**
- Solid Waste Impacts and Improvements**
- Water and Wastewater Impacts and Improvements**

**Please include description of improvements necessary to accommodate the proposed changes, as well as supporting data and proposed funding sources.

Fees: Large Scale Amendment: \$2500.00 + \$5.00 per acre or fraction thereof
 Text Amendment: \$2,500.00 Small Scale Amendment \$1,500.00

Notices

The required SIGN(S) must be POSTED on the property BY THE APPLICANT 15 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 ten (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 10 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 (3) minutes.

If you decide to appeal any decision made by the Board of County Commissioners with respect to any matter considered at your comprehensive plan amendment 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 comprehensive plan amendment 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.

Owner(s) / Authorized Agent Signature

[Handwritten signature in blue ink]

Owner(s) / Authorized Agent Signature

State of Florida
County of Clay

The foregoing affidavit was sworn and subscribed before me this 31st day of July
(month), 2024 (year) by Kelly Hartwig, who is personally known to me
or has produced FLDL as identification.

[Handwritten signature: Lydia Lovelady]
Notary Signature



Clay County Comprehensive Plan Amendment Agent Authorization Affidavit – Attachment A-1

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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. As the Owner, I hereby authorize and empower

Kelly Hartwig -

whose address is:

P.O. Box 8880, Fleming Island, FL 32006

Phone: 904-759-9576

Email: Siteopt@bellsouth.net

to act as agent for a comprehensive plan amendment for the property located at (address or Parcel ID):

01-07-26-015737-001-00

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

Owner's Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Susan Lemen Williams

7/31/24

Signature of Owner:

Date:

Susan Lemen Williams

Printed Name of Owner:

Sworn to and subscribed before me this 31st day of July A.D. 2024

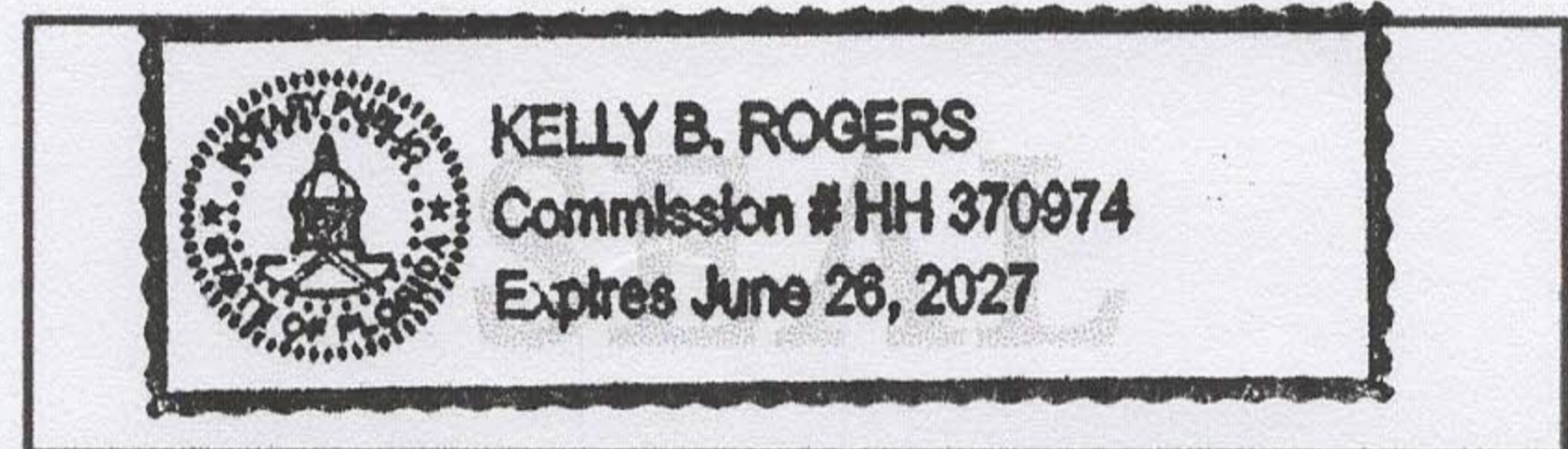
Personally known [checked] or produced identification.

Type of identification produced _____ and number (#): _____

Kelly B. Rogers 7/31/24

Signature of Notary

Date:



Clay County Comprehensive Plan Amendment Property Ownership Affidavit – Attachment A-2

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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 comprehensive plan amendment.

Owner's Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Susan Lemen Williams

7/31/24

Signature of Owner:

Date:

Susan Lemen Williams

Printed Name of Owner:

Sworn to and subscribed before me this 31st day of July A.D. 20 24

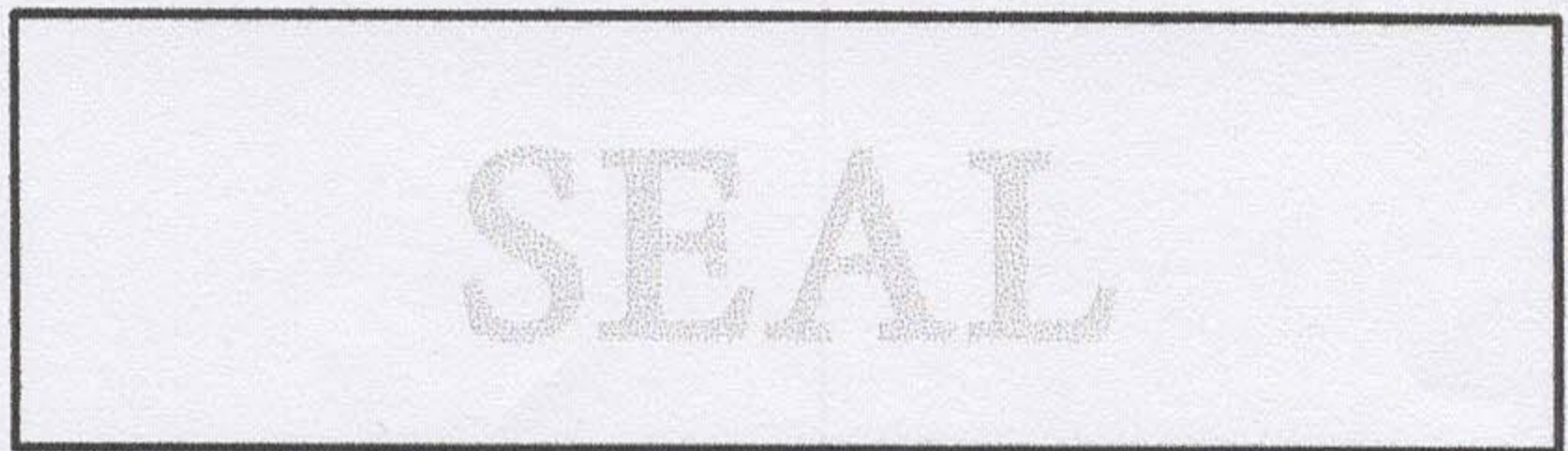
Personally known or produced identification.

Type of identification produced _____ and number (#): _____

Kyle B. Rogers *7/31/24*

Signature of Notary

Date:





1 **Rezoning Application ZON-24-0019**
2 **Staff Report**

3
4 **Copies of the application are available at the Clay County**
5 **Administration Office, 3rd floor, located at 477 Houston Street Green Cove Springs, FL 32043**
6

7 **Owner Information**

Owner: The Lemen Family Declaration of Revocable Trust	Address: 3957 Susan Drive, Green Cove Springs, FL 32043
Agent: Kelly Hartwig	PO Box 8880, Fleming Island, FL 32006
Parcel #: 01-07-26-015737-001-01	

8
9 **Property Information (all parcels)**

Current Zoning: AG (Agriculture)	Land Use: AG (Agriculture) IND Industrial (Proposed under COMP 24-0016)
Zoning Proposed: IB (Heavy Industrial)	Total Acres: 1.72
Commission District: (Commissioner Burke)	Planning District: Springs

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17 **Background**

18
19 A request to rezone and amend the Zoning Atlas for approximately ±2 acres that is currently within
20 the AG (Agricultural) zoning district. The property is currently vacant. The subject parcel lies in
21 between the active CSX rail line and CR 209 S and bound by CR 226 on the north. The parcel
22 directly to the east across CR 209 S is a homesteaded residential property with the home located
23 in the extreme northeast corner adjacent to Bayard Rd. This property however, has submitted a
24 request to also change the land use and zoning for their property. Thereby make a cohesive Land
25 Use designation. The parcels to the west and south of the subject property are owned by the St
26 John’s River Water Management District. These parcels as outlined in the Clay County
27 Comprehensive Plan are generally owned by public or quasi-public entities. The lands are held for
28 use as non-profit public recreation and open space amenities, and include natural resource land
29 management activities and associated uses. Those owned and maintained by public agencies and
30 open to the public comprise the inventory of regional park facilities in Clay County”, and therefore
31 have limited ability to develop. This would essentially create a “hard stop” for industrial land
32 expansion. The parcels to the north of the subject property have a Future Land Use of Industrial
33 and are in a Heavy Industrial (IB) Zoning district. As discussed, the property is adjacent to the
34 active CSX railroad line and in close proximity to the proposed First Coast Expressway. As the
35 transportation investments that support a heavy industrial use are in place, or will be within the
36 short term, the expansion of the Industrial district is an appropriate change. The requested change
37 is supported by the Clay County 2040 Comprehensive Plan through objective EDE 1.2 which
38 states:
39

40 EDE OBJ 1.2 Clay County shall ensure an adequate supply of land uses that support a viable
 41 economy and allow for employment generation such as office and industrial uses
 42 on the Future Land Use Map (FLUM).
 43

44 EDE POLICY 1.2.1 Clay County shall prioritize the land use planning of sites
 45 meeting the locational requirements of identified targeted/key industries and basic
 46 industries uses in appropriate and compatible locations and recognize this priority
 47 during the review of plan amendments, rezoning requests, site plan approvals and
 48 permitting processes.
 49

50 The Applicant does not currently have an end user for the land, but is setting the table for a future
 51 heavy industrial user as the 2040 County Comprehensive Plan calls for.
 52

53 The zoning and future land use of the parcels surrounding the subject parcel is provided in the
 54 table below and in Figure 1, and are primarily residential to the east and industrial to the west.
 55 Existing uses are generally as noted below.
 56

	ZONING	FUTURE LAND USE
North (across CR 226)	IB (Heavy Industrial)	IND (Industrial)
East (across CR 209S)	AG (Agricultural)	AG (Agricultural)
West (across CSX Railroad)	AG (Agricultural)	RP (Recreation/Preservation)
South (across SR 16)	AG (Agricultural)	RP (Recreation/Preservation)

57

58 **Proposed IB Zoning District**

59 **Sec. 3-30. Heavy Industrial District (Zone IB)**

60
 61 (a) *Intent.* All land designated as Zone IB is subject to the requirements of this Section as well
 62 as the appropriate density and intensity in Sec. 20.3-10. Such areas are established in order
 63 to provide adequate areas for activities of a heavy industrial nature. A site plan conforming
 64 to the requirements of this chapter shall be submitted to the Planning and Zoning
 65 Department for administrative review and approval prior to obtaining a building permit for
 66 all uses within this District.
 67

- 68 (b) *Uses Permitted.*
- 69 1. Any uses permitted in the Light Industrial District (Zone IA) and Industrial Select District
 70 (Zone IS).
 - 71 2. Airports, landing strips, and heliports. The development and operation of these facilities
 72 shall conform to all rules and regulations of all governmental agencies having appropriate
 73 jurisdiction and to the performance standards of this Article.
 - 74 3. Accessory uses such as dining and recreation facilities as convenience to occupants thereof
 75 and their customers and employees, and business offices accessory to the primary industrial
 76 use.

- 77 4. Communication Antennas and Communication Towers, including accessory buildings,
78 tower support and peripheral anchors as governed by the provisions of Section 20.3-46 of
79 the Clay County Land Development Code. (Amended 11/26/96 - Ord. 96-58).
- 80 5. Any manufacturing, recycling, distribution, warehousing, or associated uses not in conflict
81 with ordinances dealing with incinerators and toxic or hazardous waste.
- 82 6. Medical Transport.
- 83
- 84 (c) *Conditional Uses.* The following uses are permitted in the IB zoning district subject to the
85 conditions provided in Section 20.3-5.
- 86
- 87 (1) Public assembly.
- 88 (2) Rock crushing; rock or sand storage yards; and stone cutting.
- 89 (3) Residential dwelling.
- 90 (4) Public and/or private sewer facilities.
- 91 (5) Land Clearing Debris Off-Site Disposal Facility
- 92 (6) Recreational Vehicle and Boat Storage
- 93
- 94 (d) *Uses Not Permitted.*
- 95
- 96 (1) Any use not allowed in (b) or (c) above.
- 97
- 98 (e) *Lighting Adjacent to Residential Districts.* Artificial lighting used to illuminate the
99 premises and/or advertising copy shall be directed away from adjacent residential or
100 agricultural districts.
- 101
- 102 (f) *Density Requirements.* The maximum density for development on land with the IB zoning
103 classification shall correspond to a floor area ratio (FAR) of fifty (50) percent
104 Agricultural/Residential.
- 105
- 106 (g) *Lot and Building Requirements.* The principal building(s), accessory structures and other
107 uses shall be located so as to comply with the following minimum requirements.
- 108 (1) Side lot setbacks on property which abuts residential or agricultural districts shall be
109 not less than 20 feet. If said lot is a corner lot, the setback shall be the same as for the front
110 lot.
- 111 (2) Rear lot line setbacks shall be twenty (20) feet. If the rear yard does not abut a public
112 street, then access shall be not less than twenty (20) feet in width and shall be unobstructed
113 at all times.
- 114 (3) Front lot line setbacks shall in no case be less than twenty-five (25) feet.
- 115 (4) All structures shall be set back a minimum of 50 feet landward from the ordinary high
116 water line or mean high water line, whichever is applicable; for waters designated as
117 Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These
118 setbacks shall not apply to structures on lots or parcels located landward of existing
119 bulkheads permitted by the St. Johns River Water Management District or Florida
120 Department of Environmental Protection.
- 121 (5) Where a district is adjacent to a lot line of property of a residential or agricultural
122 classification, no materials, garbage containers, or refuse shall be allowed nearer than

123 fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be
124 screened so as not to be readily visible.

125 (6) Visual Barrier: Proposed non-residential development shall be buffered from adjacent
126 land within the residential land use categories identified in Section 20.3-8 with a ten (10)
127 foot landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and
128 tree planting thirty (30) feet on center. For all development commenced on or after January
129 28, 2003, the provisions of this subsection shall not apply. For developments that
130 commence after this date, the provisions of Article VI of the Clay County Land
131 Development Code (the Tree Protection and Landscaping Standards) will apply.

132
133 In addition to the above, Staff also reviewed the request against the Code Article 12-9(3) – General
134 criteria for rezoning application for rezoning and found the following:

- 135
136 a) Whether the proposed change will create an isolated district unrelated to or incompatible
137 with adjacent and nearby districts. *The subject property is adjacent to Industrial zoning
138 and land uses.*
- 139 b) Whether the district boundaries are illogically drawn in relation to the existing conditions
140 on the real property proposed for change. *The subject property is in close proximity to
141 infrastructure to support the use and therefore the boundary is not illogically drawn.*
- 142 c) Whether the conditions which existed at the time the real property was originally zoned
143 have changed or are changing, and, to maintain consistency with the Plan, favor the
144 adoption of the proposed Rezoning. *The industrial land uses and zoning districts are
145 expanding from the north, as well as the County is losing industrials lands due to City
146 annexation.*
- 147 d) Whether the affected real property cannot be used in accordance with existing zoning;
148 *The land can be used in other ways, however the request is consistent with the pattern of
149 development in the area.*
- 150 e) Whether the proposed Rezoning application is compatible with and furthers the County's
151 stated objectives and policies of the Plan. *As previously stated, the change to Industrial
152 is in keeping with the County's Plan.*
- 153 f) Whether maintenance of the existing zoning classification for the proposed Rezoning
154 serves a legitimate public purpose; *The rezoning of the subject property would allow the
155 County to further their supply of land uses that are available as employment centers.*
- 156 g) Whether maintenance of the status quo is no longer reasonable when the proposed
157 Rezoning is inconsistent with surrounding land use; *Not applicable.*
- 158 h) Whether there is an inadequate supply of sites in the County for the proposed intensity or
159 density within the district already permitting such intensity or density. *As stated, the
160 County has recently had a loss in the Industrial land inventory due to City annexation.*
161

162 **Staff Recommendation**

163
164 This is an Applicant requested rezoning application to change approximately ± 2.00 acres from AG
165 to IB. Given the presence of the existing IB zoning district directly north of the subject parcel,
166 across CR 226, and the existing transportation systems that can support heavy industrial in the
167 area, and the adjacent lands will remain as preservation lands, the zoning requested change appears
168 appropriate.

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This request is consistent with the Goals, Objectives and Policies of the Comprehensive Plan and appears compatible with the surrounding zoning and future land use. Staff recommends **approval** of application ZON 24-0019.

Aerial of the Site

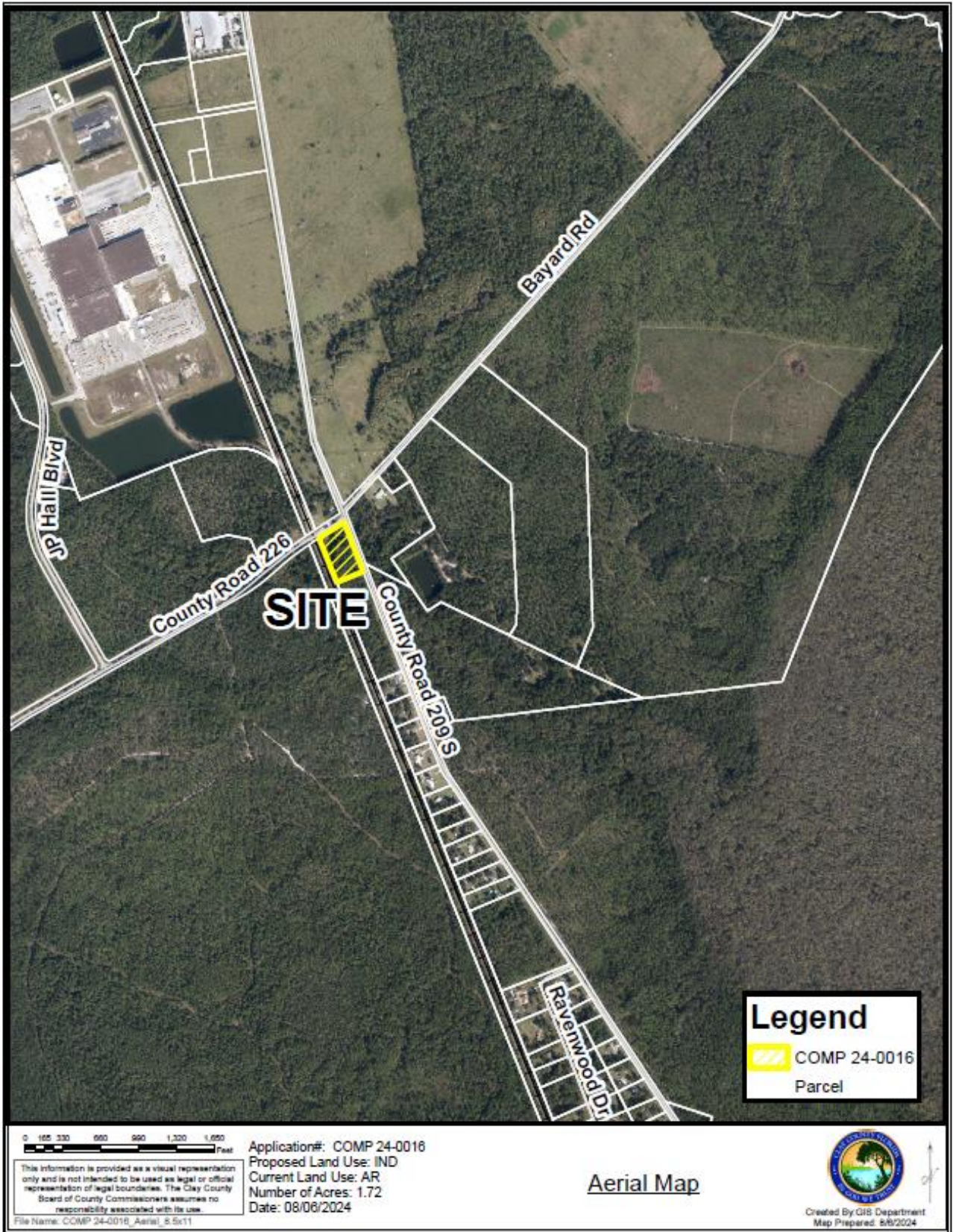
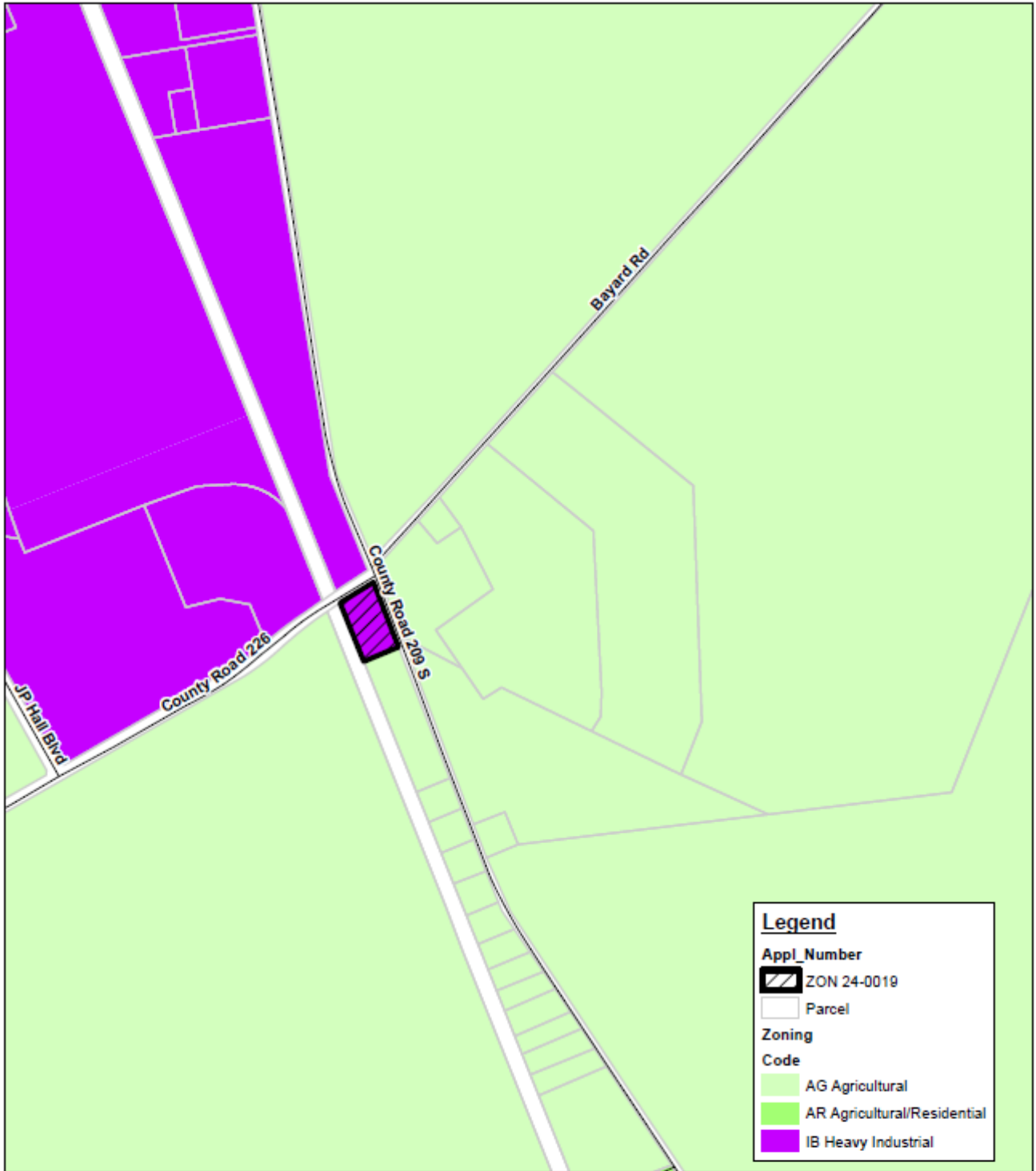


Figure 1 Surrounding Zones



0 425 850 1,700 Feet

Proposed Rezoning: ZON 24-0019
From AG to IB



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 (TAX PARCEL IDENTIFICATION # 01-07-26-015737-001-01), TOTALING APPROXIMATELY 1.72 ACRES, FROM AG (AGRICULTURAL) TO IB (HEAVY INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application ZON 24-0019 seeks to rezone certain real property (tax parcel identification # 01-07-26-015737-001-01) (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 present zoning classifications of the Property are hereby changed from IB (Heavy Industrial District) to AR (Agricultural/Residential District).

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 as provided by law.

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

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Jim Renninger, Its Chairman

ATTEST:

By: _____
Tara S. Green,

Clay County Clerk of Court and Comptroller
Ex Officio Clerk to the Board

Exhibit "A-1"

PARCEL 1 (BAYARD POINT - ALL OF TRUST PROPERTY):

A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-209); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 76 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 254.18 FEET; THENCE NORTH 65 DEGREES 07 MINUTES 58 SECONDS EAST 1514.19 FEET; THENCE SOUTH 26 DEGREES 25 MINUTES 13 SECONDS EAST 2125.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 26 DEGREES 25 MINUTES 13 SECONDS EAST 35.37 FEET; THENCE SOUTH 26 DEGREES 07 MINUTES 00 SECONDS EAST 132.25 FEET; THENCE SOUTH 54 DEGREES 34 MINUTES 42 SECONDS EAST 274.05 FEET; THENCE SOUTH 31 DEGREES 21 MINUTES 30 SECONDS EAST 401.97 FEET; THENCE SOUTH 66 DEGREES 32 MINUTES 20 SECONDS EAST 457.01 FEET; THENCE NORTH 37 DEGREES 08 MINUTES 47 SECONDS EAST 196.18 FEET; THENCE NORTH 18 DEGREES 59 MINUTES 12 SECONDS WEST, 250.32 FEET TO A POINT HEREINAFTER REFERRED TO AS REFERENCE POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING; THENCE SOUTH 68 DEGREES 48 MINUTES 20 SECONDS WEST 1647.44 FEET; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 979.19 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE EASTERLY AND HAVING A RADIUS OF 2000.00 FEET, RUN A CHORD DISTANCE OF 327.18 FEET, THE BEARING OF SAID CHORD BEING SOUTH 21 DEGREES 14 MINUTES 16 SECONDS EAST; THENCE NORTH 60 DEGREES 33 MINUTES 09 SECONDS EAST 1130.42 FEET; THENCE SOUTH 32 DEGREES 08 MINUTES 11 SECONDS EAST 705.43 FEET; THENCE SOUTH 70 DEGREES 47 MINUTES 39 SECONDS EAST 619 FEET, MORE OR LESS, TO THE WATERS OF THE ST. JOHNS RIVER; THENCE ALONG SAID WATERS IN A GENERAL NORTHEASTERLY AND NORTHWESTERLY DIRECTION 3844 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 38 DEGREES 23 MINUTES 53 SECONDS EAST 1188 FEET, MORE OR LESS, FROM THE AFORESAID REFERENCE POINT "A"; THENCE SOUTH 38 DEGREES 23 MINUTES 53 SECONDS WEST 1188 FEET, MORE OR LESS, TO SAID REFERENCE POINT "A" AND TO CLOSE.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PORTION OF SAID SECTION 47: COMMENCE AT THE AFORESAID REFERENCE POINT "A"; THENCE SOUTH 59 DEGREES 55 MINUTES 10 SECONDS EAST 619.36 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 32 DEGREES 40 MINUTES 57 SECONDS WEST 356.18 FEET; THENCE SOUTH 63 DEGREES 39 MINUTES 16 SECONDS WEST 332.58 FEET; THENCE SOUTH 35 DEGREES 29 MINUTES 09 SECONDS EAST 450 FEET, MORE OR LESS, TO THE WATERS OF THE ST. JOHNS RIVER; THENCE ALONG SAID WATERS IN A GENERAL NORTHEASTERLY AND NORTHWESTERLY DIRECTION 2172 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 46 DEGREES 14 MINUTES 33 SECONDS EAST 1075 FEET, MORE OR LESS, FROM THE POINT OF BEGINNING;

[LEGAL FOR DENA MAE PROPERTY]

Page 1 of 12

THENCE SOUTH 46 DEGREES 14 MINUTES 33 SECONDS WEST 1075 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO A 60 FOOT WIDE EASEMENT FOR INGRESS, EGRESS, DRAINAGE AND UTILITIES COVERING A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-209); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 76 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 164.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 77.40 FEET; THENCE SOUTH 46 DEGREES 48 MINUTES 34 SECONDS EAST 52.19 FEET; THENCE SOUTH 40 DEGREES 32 MINUTES 03 SECONDS EAST 239.99 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES 36 SECONDS EAST 688.34 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 910.00 FEET, RUN A CHORD DISTANCE OF 188.36 FEET, THE BEARING OF SAID CHORD BEING SOUTH 22 DEGREES 29 MINUTES 11 SECONDS EAST; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 1850.01 FEET; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 884.94 FEET, THE BEARING OF SAID CHORD BEING SOUTH 29 DEGREES 43 MINUTES 48 SECONDS EAST; THENCE SOUTH 42 DEGREES 54 MINUTES 50 SECONDS EAST 544.32 FEET; THENCE SOUTH 39 DEGREES 03 MINUTES 09 SECONDS WEST 60.59 FEET; THENCE NORTH 42 DEGREES 54 MINUTES 50 SECONDS WEST 552.79 FEET; THENCE NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2000.00 FEET, RUN A CHORD DISTANCE OF 912.31 FEET, THE BEARING OF SAID CHORD BEING NORTH 29 DEGREES 43 MINUTES 48 SECONDS WEST; THENCE NORTH 16 DEGREES 32 MINUTES 46 SECONDS WEST 1850.01 FEET; THENCE NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 850.00 FEET, RUN A CHORD DISTANCE OF 175.94 FEET, THE BEARING OF SAID CHORD BEING NORTH 22 DEGREES 29 MINUTES 11 SECONDS WEST; THENCE NORTH 28 DEGREES 25 MINUTES 36 SECONDS WEST 681.98 FEET; THENCE NORTH 40 DEGREES 32 MINUTES 03 SECONDS WEST 230.34 FEET TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH AND SUBJECT TO A 30 FOOT WIDE EASEMENT FOR INGRESS, EGRESS, AND UTILITIES COVERING A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-20S); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO

[LEGAL FOR DENA MAE PROPERTY]

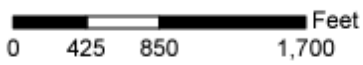
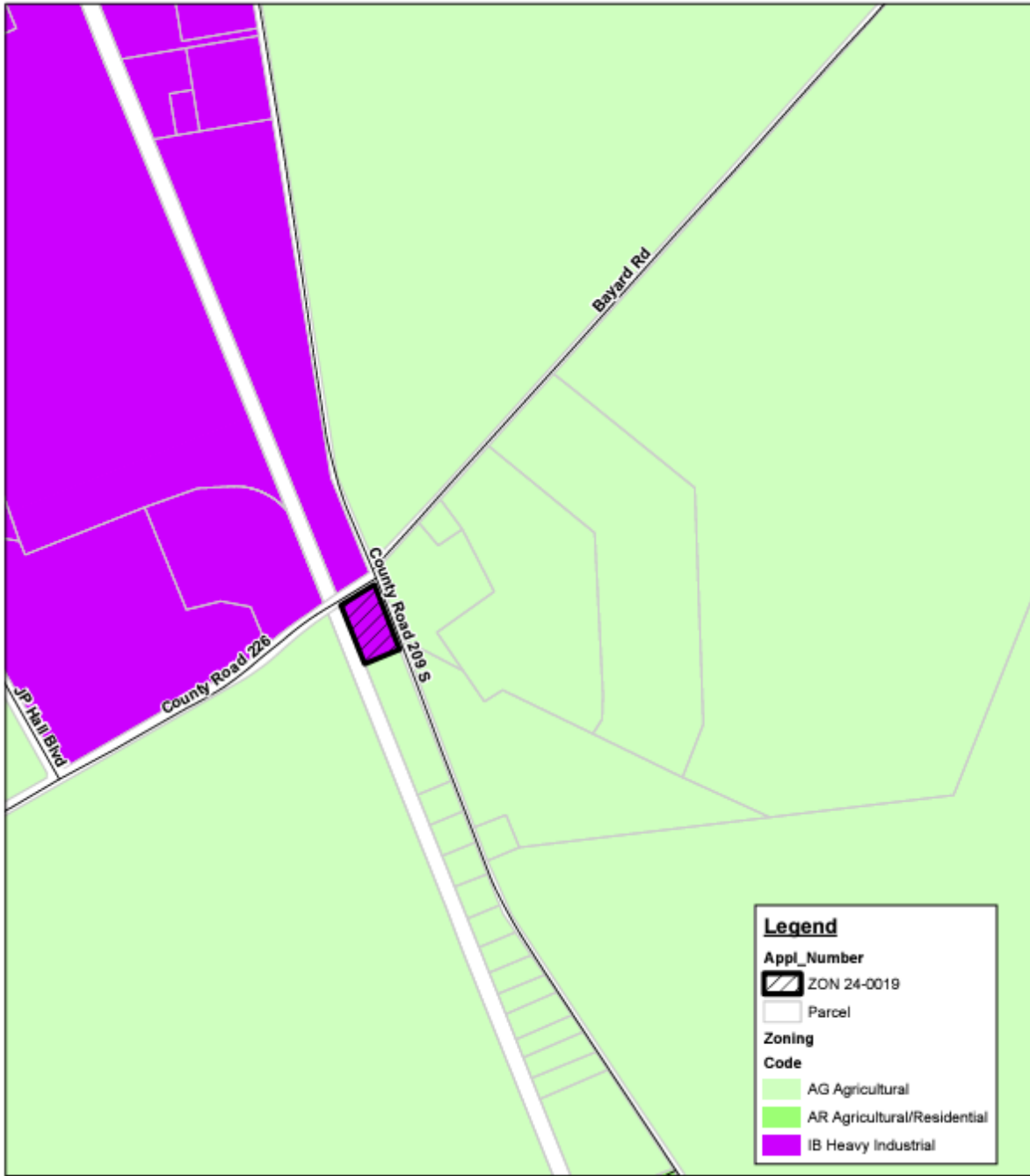
Page 2 of 12

COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 75 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 241.56 FEET; THENCE SOUTH 46 DEGREES 48 MINUTES 34 SECONDS EAST 52.19 FEET; THENCE SOUTH 40 DEGREES 32 MINUTES 03 SECONDS EAST 239.99 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES 36 SECONDS EAST 688.34 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 910.00 FEET, RUN A CHORD DISTANCE OF 188.36 FEET, THE BEARING OF SAID CHORD BEING SOUTH 22 DEGREES 29 MINUTES 11 SECONDS EAST; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 1850.01 FEET; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 758.71 FEET TO THE POINT OF BEGINNING, THE BEARING OF SAID CHORD BEING SOUTH 27 DEGREES 49 MINUTES 21 SECONDS EAST; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 30.19 FEET, THE BEARING OF SAID CHORD BEING SOUTH 39 DEGREES 32 MINUTES 42 SECONDS EAST THENCE NORTH 56 DEGREES 51 MINUTES 35 SECONDS EAST 165.41 FEET THENCE NORTH 60 DEGREES 08 MINUTES 46 SECONDS EAST 292.10 FEET THENCE NORTH 71 DEGREES 10 MINUTES 56 SECONDS EAST 156.49 FEET THENCE NORTH 79 DEGREES 33 MINUTES 13 SECONDS EAST 344.51 FEET THENCE NORTH 62 DEGREES 37 MINUTES 27 SECONDS EAST 66.78 FEET THENCE NORTH 33 DEGREES 19 MINUTES 41 SECONDS EAST 90.36 FEET THENCE NORTH 45 DEGREES 07 MINUTES 52 SECONDS EAST 76.21 FEET THENCE NORTH 50 DEGREES 52 MINUTES 13 SECONDS EAST 448.97 FEET THENCE NORTH 63 DEGREES 39 MINUTES 16 SECONDS EAST 828.69 FEET THENCE NORTH 32 DEGREES 40 MINUTES 57 SECONDS EAST 356.18 FEET THENCE NORTH 57 DEGREES 19 MINUTES 03 SECONDS WEST 30.00 FEET THENCE SOUTH 32 DEGREES 40 MINUTES 57 SECONDS WEST 347.87 FEET THENCE SOUTH 63 DEGREES 39 MINUTES 16 SECONDS WEST 823.74 FEET THENCE SOUTH 50 DEGREES 52 MINUTES 13 SECONDS WEST 453.83 FEET THENCE SOUTH 45 DEGREES 07 MINUTES 52 SECONDS WEST 80.81 FEET THENCE SOUTH 33 DEGREES 19 MINUTES 41 SECONDS WEST 85.62 FEET THENCE SOUTH 62 DEGREES 37 MINUTES 27 SECONDS WEST 54.47 FEET THENCE SOUTH 79 DEGREES 33 MINUTES 13 SECONDS WEST 342.24 FEET THENCE SOUTH 71 DEGREES 10 MINUTES 56 SECONDS WEST 161.59 FEET THENCE SOUTH 60 DEGREES 08 MINUTES 46 SECONDS WEST 295.86 FEET THENCE SOUTH 56 DEGREES 51 MINUTES 35 SECONDS WEST 169.64 FEET TO THE POINT OF BEGINNING.

[LEGAL FOR DENA MAE PROPERTY]

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Exhibit "A-2"



**Proposed Rezoning: ZON 24-0019
From AG to IB**





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



Pre-Application Meeting Date:		CAC Meeting Date (if applicable):
Date Rec:	Received By:	IMS #:

REZONING APPLICATION

Owner's Name:		If the property is under more than one ownership please use multiple sheets.
Owner's Address:		
City:	State:	Zip Code:
Phone:	Email:	

Parcel & Rezoning Information

Parcel Identification Number:		
Address:		
City:	State:	Zip Code:
Number of Acres being Rezoned:	Current Zoning:	Current Land Use:
Proposed Zoning:	I am seeking a:	Permitted Use Conditional Use
Property Will be Used as:		

Required Attachments

Deed Survey Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5
 Agents Authorization Attachment A-1 Owner's Affidavit Attachment A-2 Legal Description Attachment A-3
 Supplemental Development Questions if Rezoning to PUD PCD PID Attachment A-4

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 ten (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 (3) 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.

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.

Owner's Signature:

Date:

Printed Name:

The rest of this space is intentionally left blank

Clay County Rezoning Agent Authorization Affidavit – Attachment A-1

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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. As the Owner, I hereby authorize and empower

whose address is:

Phone:

Email:

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

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

Owner's Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Signature of Owner:

Date:

Printed Name of Owner:

Sworn to and subscribed before me this ____ day of _____ A.D. 20 _____

Personally known _____ or produced identification.

Type of identification produced _____ and number (#): _____

Signature of Notary

Date:



Clay County Rezoning Property Ownership Affidavit – Attachment A-2

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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.

Owner’s Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Signature of Owner:

Date:

Printed Name of Owner:

Sworn to and subscribed before me this _____ day of _____ A.D. 20 _____

Personally known _____ or produced identification.

Type of identification produced _____ and number (#): _____

Signature of Notary

Date:





Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, October 1 5:00 PM

TO: Planning Commission

DATE: 8/2/2024

FROM: Jenni Bryla, Zoning Chief

SUBJECT:

A. COMP 24-0018

This application is a FLUM Amendment to change 32.78999 acres from Agricultural Residential (AR) to Industrial (IND).

B. ZON 24-0024

This Application is a Rezoning to change from Agricultural District (AG) to Heavy Industrial District (IB).

AGENDA ITEM TYPE:

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Applicant

Owner: The Lemen Family Declaration of Revocable Trust

Agent: Kelly Hartwig

ATTACHMENTS:

Description Type	Upload Date	File Name
Staff Report for COMP 24-0018 Cover Memo	9/26/2024	COMP_24-0018_Bayard_Rd-_Staff_Report-jb_bc.ADA.pdf
Ordinance COMP 24-0018	9/26/2024	COMP_24-0018_Ordinance-FINAL.ADA.pdf
application Backup Material	9/26/2024	Admendment_to_the_Comprehensive_plan_application_v1.ADA.pdf
Staff Report for ZON 24-0024 Cover Memo	9/26/2024	ZON_24-0024_Bayard_Rd-_Staff_Report_bc_jb.ADA.pdf

ZON 24-0024 MEMO

Ordinance

▢ ZON 24-0024 Ordinance 9/26/2024 ZON_24-0024_Ordinance-Final.ADA.pdf

▢ application Backup Material 9/26/2024 Rezoning_Application_v1.ADA.pdf



1 **Staff Report and Recommendations for COMP 24-0018**

2

3 Copies of the application are available at the Clay County
4 Administration Office, 3rd floor, located at 477 Houston Street Green Cove Springs, FL 32043
5

6 **Owner / Applicant Information:**

Owner: The Lemen Family Declaration of Revocable Trust	Address: 3957 Susan Drive Green Cove Springs, FL 32043
Agent: Kelly Hartwig	
Phone: 904-759-9576	
Email: siteopt@bellsouth.net	Address: PO Box 8880 Fleming Island, FL 32006

7

8 **Property Information**

Parcel ID: 38-06-26-016503-006-00	Address: Bayard Road Green Cove Springs, FL 32043
Current Land Use: AR AGRICULTURAL RESIDENTIAL	Current Zoning: AG AGRICULTURAL
Proposed Land Use: IND INDUSTRIAL	Acres: 32.79 +/- acres Acres affected by FLU change: 32.78 acres
Commission District: 5, Burke	Planning District: Springs

9

10 **Introduction:**

11 This is a privately initiated application for a Small-Scale Comprehensive Plan Amendment to the
12 2040 Future Land Use Map (FLUM). The application would change a single parcel approximately
13 33 acres in size of land from AR (Agricultural/Residential) to IND (Industrial). The property is
14 currently vacant. The subject parcel lies on the south east side of Bayard Rd and east of CR 209.
15

16 The parcel to the east is owned by the Applicant and is the subject of a similar request, the parcel to
17 the west is a homesteaded residential property with an AG Future Land Use and a home located in
18 the extreme northeast corner adjacent to Bayard Rd. Parcels surrounding the subject parcel, are
19 owned by the St John’s River Water Management District with a RP Recreation/Preservation Land
20 Use designation, and therefore have limited ability to develop. The parcels to the northwest of the
21 subject property have a Future Land Use of Industrial and are in a Heavy Industrial (IB) Zoning
22 district. The property is in close proximity to the active CSX railroad line and in close proximity to
23 the proposed First Coast Expressway. As the transportation investments that support a heavy

24 industrial use are in place, or will be within the short term, the expansion of the Industrial district is
25 an appropriate request. The requested change is supported by the Clay County 2040 Comprehensive
26 Plan through objective EDE 1.2 which states:

27
28 EDE OBJ 1.2 Clay County shall ensure an adequate supply of land uses that support a viable
29 economy and allow for employment generation such as office and industrial uses on
30 the Future Land Use Map (FLUM).

31 EDE POLICY 1.2.1 Clay County shall prioritize the land use planning of sites meeting
32 the locational requirements of identified targeted/key industries and basic industries
33 uses in appropriate and compatible locations and recognize this priority during the
34 review of plan amendments, rezoning requests, site plan approvals and permitting
35 processes.

36
37 The Applicant does not currently have an end user for the land, but is setting the table for a future
38 heavy industrial user as the 2040 County Comprehensive Plan calls for. A companion Rezoning
39 application from AG to IB follows this comprehensive plan amendment request.

40
41 **Analysis of Surrounding Uses**

42 The proposed future land use amendment would change the acreage of a single parcel of land (32.79 acres)
43 from AR (Agriculture/Residential) to IND (Industrial). This change would be in keeping with the evolving
44 character of the surrounding districts as shown in the table below:

	Future Land Use	Zoning District
North	RP/IND Recreation/preservation Industrial	AG/IB
South	RP Recreation/Preservation	AG (Agriculture)
East	AR (Agriculture/Residential) IND Industrial (Proposed under COMP 24-0017)	AG (Agricultural) IB Industrial (Proposed under ZON 24-0023)
West	AG	AG (Agricultural)

45
46
47

Figure 1 – Parcel Map

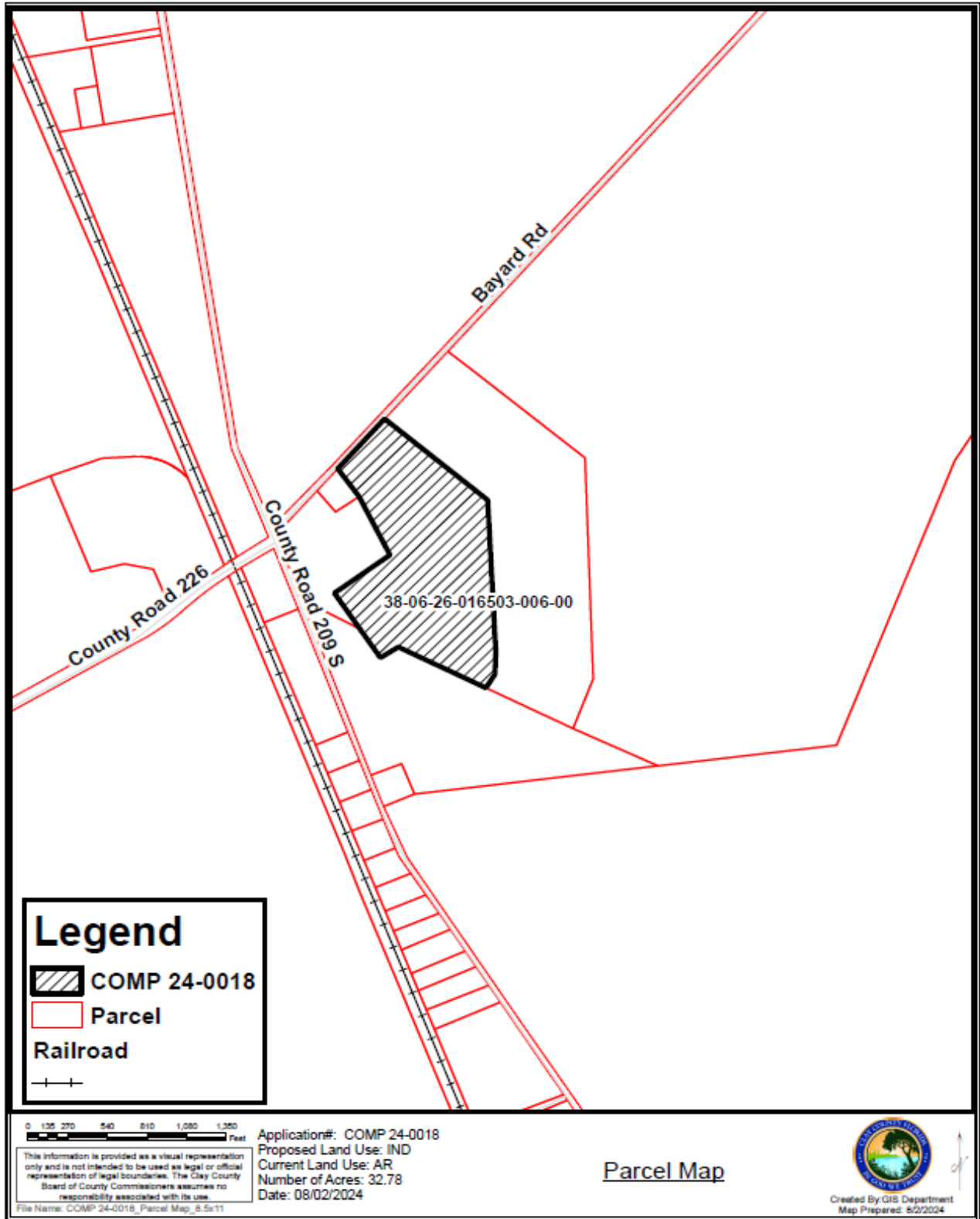


Figure 2 – Aerial Photo



Figure 3 – Existing Future Land Use Designation Map

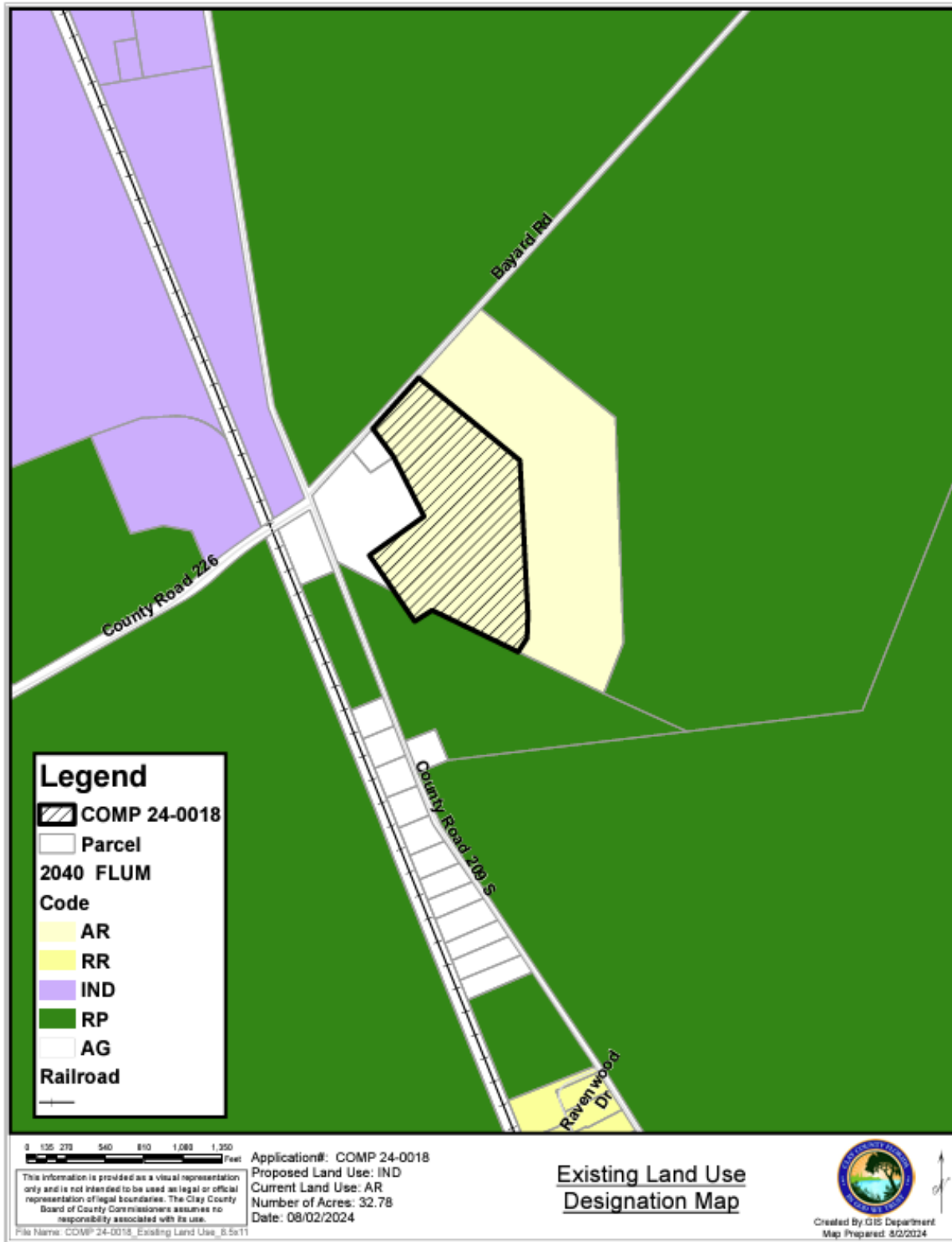
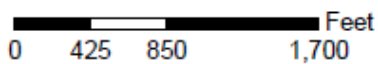
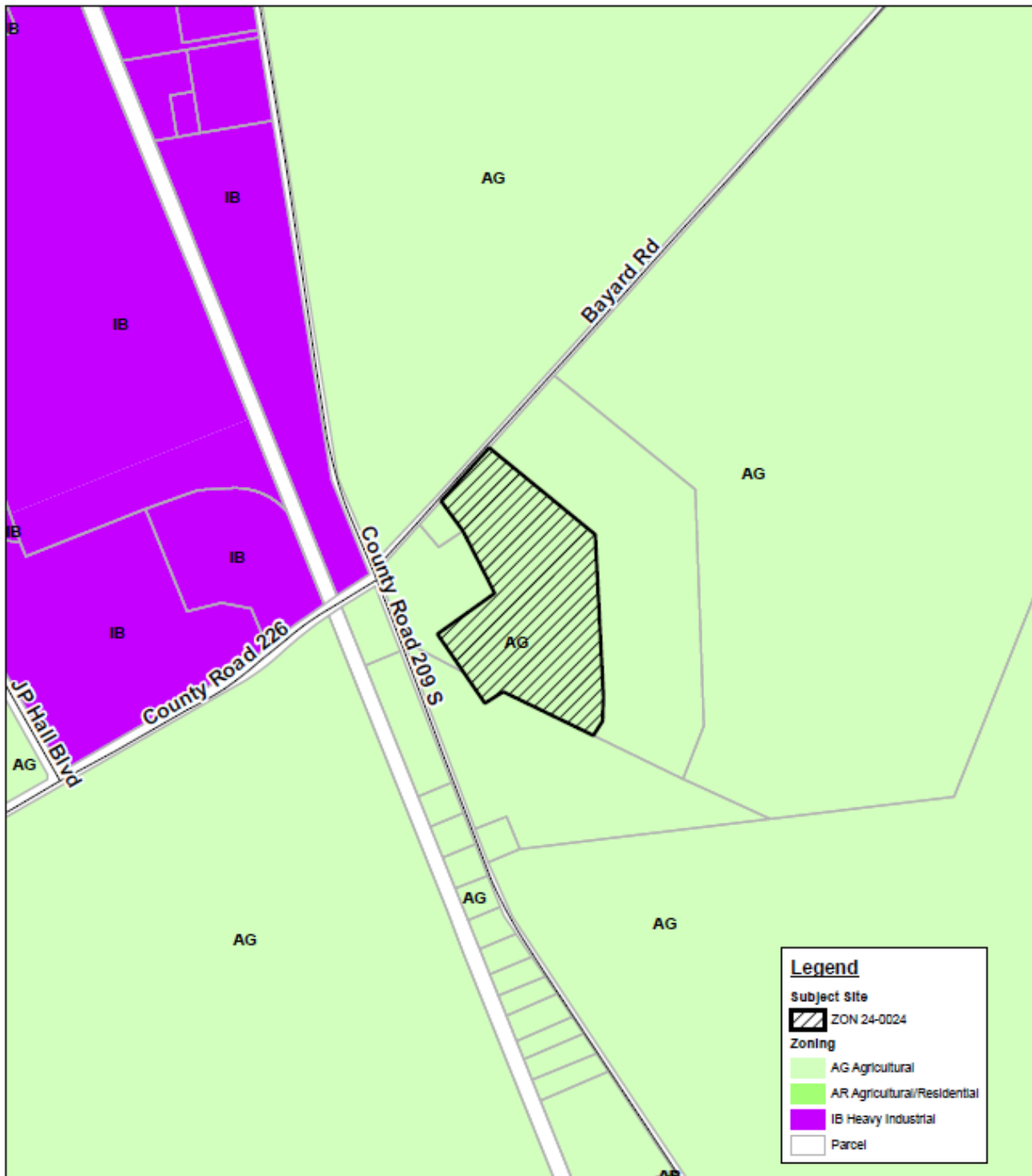


Figure 4 – Zoning Map



Existing Zoning
Proposed Rezoning: ZON 24-0024
From AG to IB

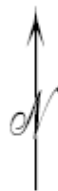
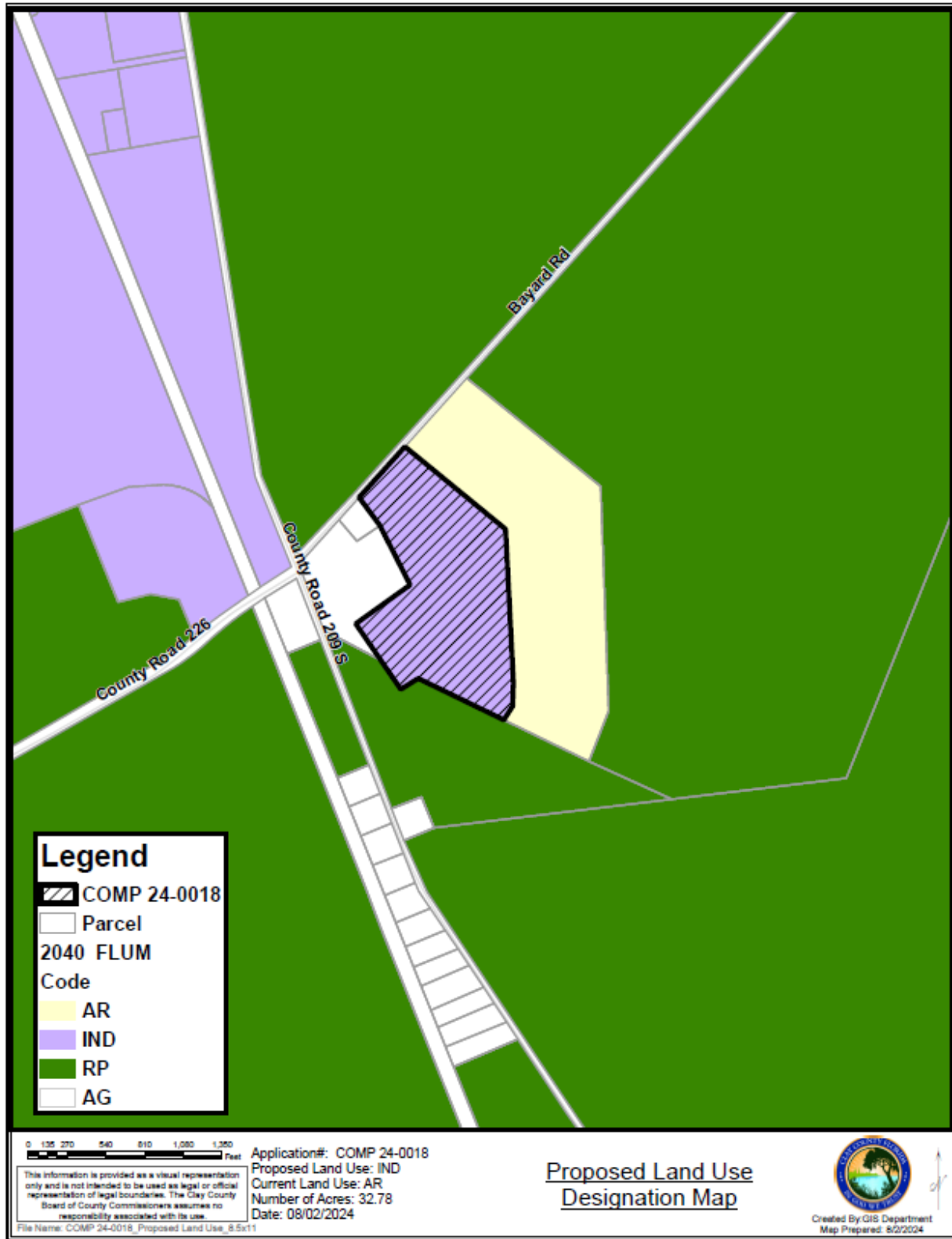


Figure 5 – Proposed Future Land Use Designation Map



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

59 The following Goals/Objective/Policies support the proposed Comprehensive Plan Amendment:

60 The subject property currently has a land use designation of AR (Agricultural Residential) The following
61 Comprehensive Plan policy describes the AR designation and permitted development density.

62
63 **Flu Policy 1.4.1.2 (portion of)**

64
65 Agriculture/Residential – “AR” (Semi-Rural): This designation allows a final transition between
66 suburban residential densities and major agricultural and silvicultural activities. The very low density
67 of one dwelling unit per ten gross acres allows individual family agricultural operations. This
68 designation accommodates the existing rural pattern of residential use that has adequate access and
69 is suitable for continued low density development. Some locations in Agriculture /Residential may
70 qualify for a density of one unit per five gross acres if the requirements of tract size, clustering and
71 points in Future Land Use Objective 1.4 and its policies are met.

72
73 This application proposes to amend the land use of the subject property to Heavy Industrial IND land
74 use. The following Comprehensive Plan policy describes the IND land use designation and permitted
75 development density.

76 **Flu Policy 1.4.1.12 (portion of)**

77 Industrial – “IND”: This designation accommodates the full range of industrial activities. The
78 specific range and intensity for uses appropriate in a particular industrial area varies by location as a
79 function of the availability of public services and access, and compatibility with surrounding uses
80 shown on the Future Land Use Map. Through the zoning review process the use of particular sites
81 or areas may be limited to allowable uses specified and defined by the Land Development
82 Regulations.

83 The Comprehensive Plan goes on to say in the following policy the importance of strategically placing
84 land uses in proximity to the transportation investments, like the First Coast Expressway, that will ensure
85 economic activity as the industrial land uses.

86 EDE POLICY 1.2.5 Clay County shall work with its partners to ensure the First Coast Expressway is
87 strategically incorporated into the County’s Future Land Use planning framework to ensure the
88 infrastructure investment is maximized to support long-term transportation and economic
89 development efforts.

90 **Analysis of Propose Amendment**

91 **Availability of Services**

92 Traffic Facilities:

93 The County’s Mobility Fee will apply to development of this property.

94 Schools:
95 There are no residential uses associated with this land use change.
96
97 Recreation:
98 There are no residential uses associated with this land use change, therefore no recreational uses are
99 required.
100
101 Water and Wastewater:
102 It appears that infrastructure is able to be provided by the CCUA just north of the site. The Applicant will
103 need to provide a will serve letter to the County prior to building permit issuance.
104
105 Stormwater/Drainage:
106 Stormwater management for any new construction will need to meet County and Water Management District
107 standards.
108
109 Solid Waste:
109 Clay County has existing solid waste capacity to service to the area.
110
111 **Land Suitability:**
111 Soils:
112 The soils on the site are adequate for development. See Figure 7.
113
114 Flood Plain:
114 The subject site contains an area of flood zone “A” that bisects the site. The owner will either need leave this
115 portion undeveloped or meet the FEMA criteria for development. Development impacts within any
116 floodplain area on the subject parcel will be required to be mitigated. See Figure 10.
117
118 Topography:
118 The subject parcel is generally flat and drains from the west to east toward the floodplain. See Figure 8.
119
120 Regionally Significant Habitat:
120 There is a bald eagle nests to the northeast of the subject parcel. See Figure 9.
121
122 Historic Resources:
122 There are no historic resource structures on the subject parcel although historic structure locations have been
123 mapped to the east and west of the subject parcel. See Figure 6.
124
125 Compatibility with Military Installations:
125 The subject property is not located near Camp Blanding.
126
127
128

Figure 6 – Historic Resource Location Map

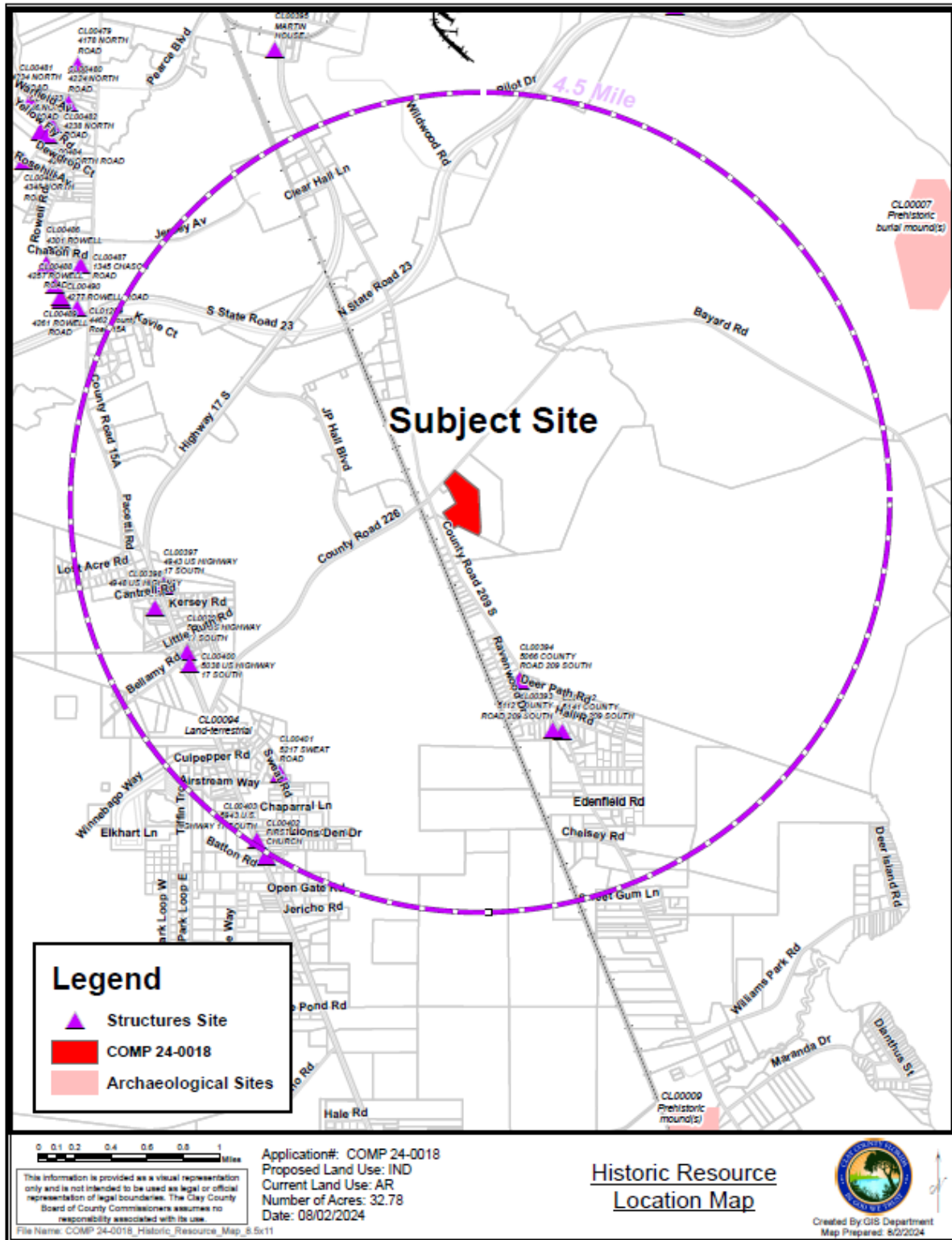


Figure 7 – Soil Map

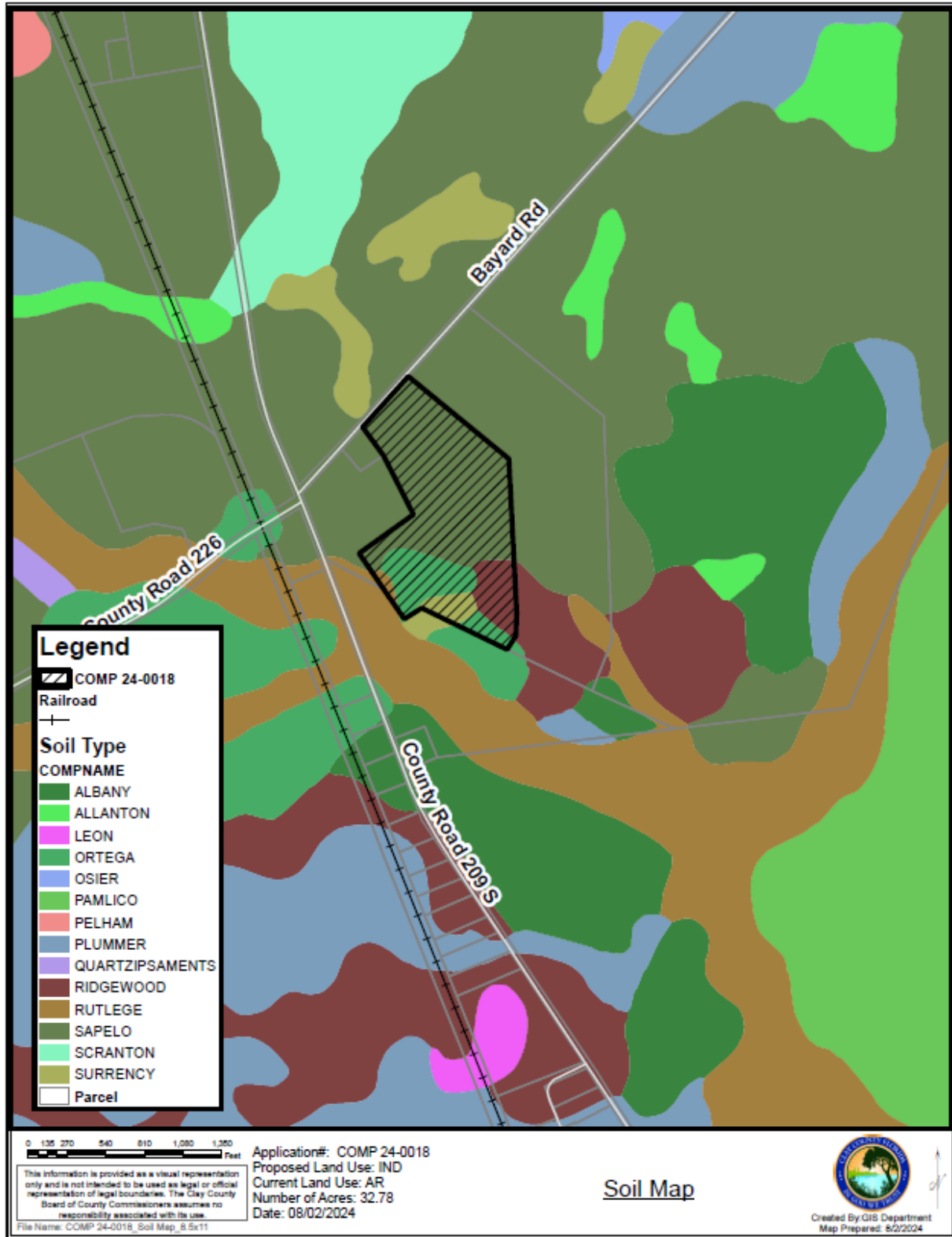


Figure 8 – Topo Map

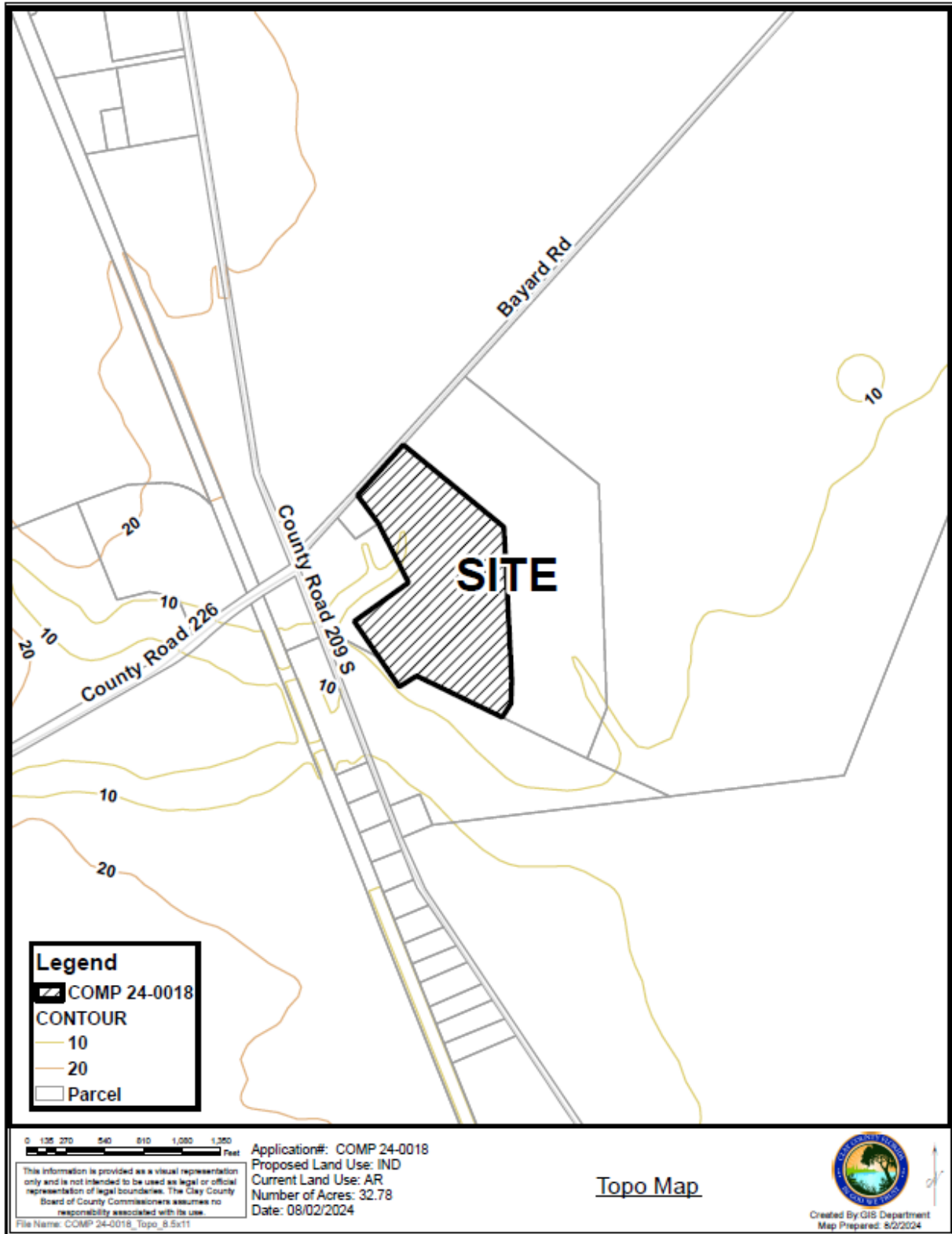


Figure 9 Habitat Map

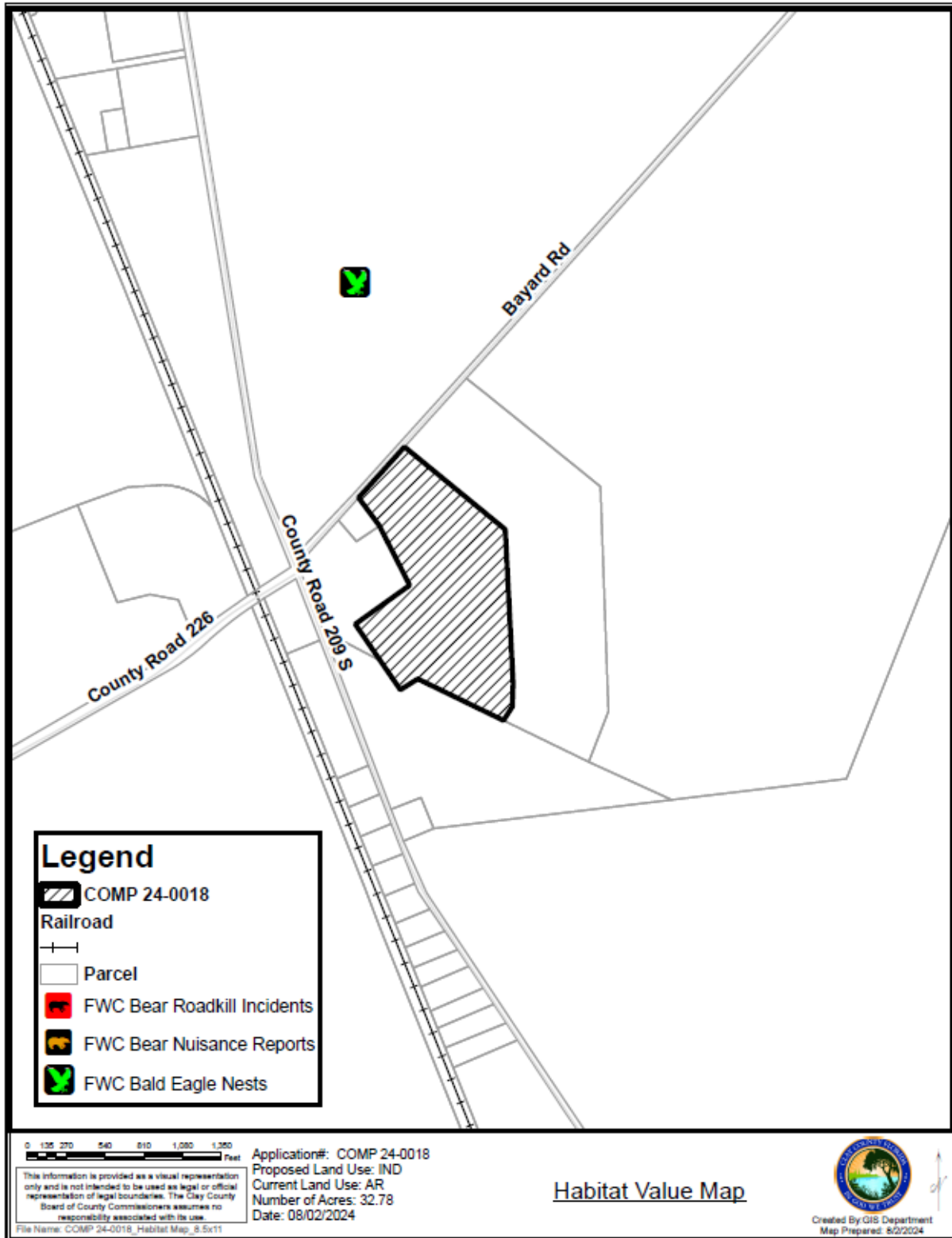
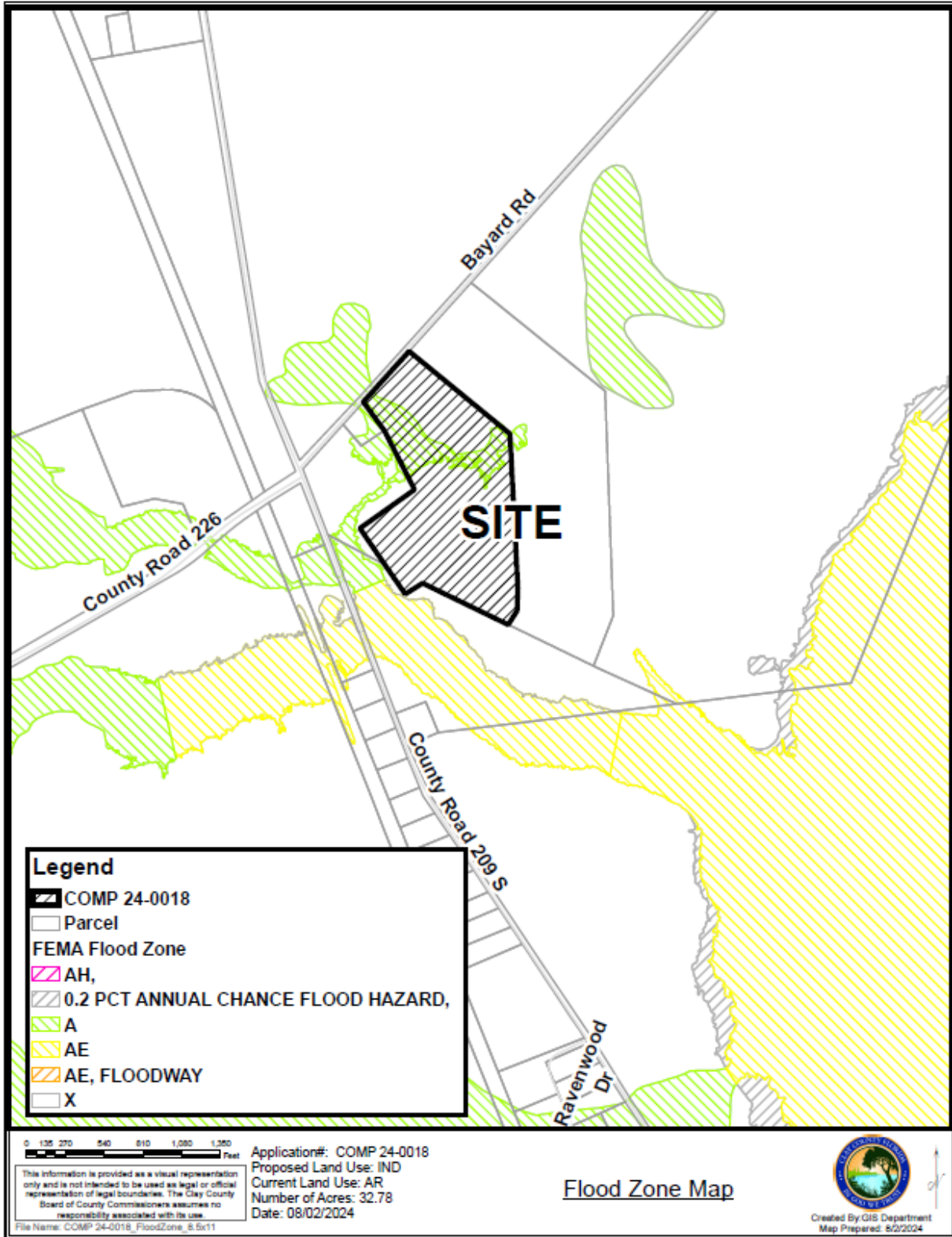


Figure 10 Flood Zone Map



140

141 Analysis Regarding Urban Sprawl

142 It is the intent of Clay County to discourage the proliferation of Urban Sprawl. As required by FS 163.3177,
143 all proposed comprehensive plan amendments will be determined to discourage urban sprawl if four or more
144 of the conditions are met.

145 (I) Directs or locates economic growth and associated land development to geographic areas of the
146 community in a manner that does not have an adverse impact on and protects natural resources and
147 ecosystems.

148 *The proposed amendment continues the pattern of Industrial Land Uses from the north and in essence*
149 *creates an edge to the use as the surrounding lands are in preservation.*

150 (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and
151 services.

152 *The proposed amendment will be able to capitalize on the infrastructure investment that has already been*
153 *made or will be in place in the near future, thereby reducing the need for additional systems.*

154 (III) Promotes walkable and connected communities and provides for compact development and a mix
155 of uses at densities and intensities that will support a range of housing choices and a multimodal
156 transportation system, including pedestrian, bicycle, and transit, if available.

157 *The proposed amendment creates a continuation of the industrial lands creating a cohesive Industrial*
158 *park concept, which allows for an additional economic generator for the County and an employment hub.*

159 (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime
160 farmlands and soils.

161 *The proposed amendment continues the pattern of Industrial Land Uses from the north and in essence*
162 *creates an edge to the use as the surrounding lands are in preservation.*

163 **Staff Finding: Based on the four criteria above the proposed amendment will not constitute sprawl.**

164 Summary

165 The proposed amendment would change the FLU of 32.79 acres from AR to IND.

166 Recommendation

167 Based on the above criteria, Staff recommends **approval** of the small scale Comprehensive Plan amendment
168 COMP 24-0018.

169

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2040 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2018-31, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF A PORTION OF A SINGLE PARCEL (TAX PARCEL IDENTIFICATION # 38-06-26-016503-006-00), TOTALING APPROXIMATELY 32.79 ACRES, FROM AR (AGRICULTURAL/RESIDENTIAL) TO IND (INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, Application COMP 24-0018, submitted by Kelly Hartwig, requests an amendment to the Plan; and,

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

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

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

Section 2. The adopted Future Land Use Map of the Plan is hereby amended such that the Future Land Use designation for a single parcel of land (tax parcel identification # 38-06-26-016503-006-00), totaling approximately 32.79 acres, described in Exhibit “A-1”, and depicted in Exhibit “A-2” is hereby changed from AR (AGRICULTURAL/RESIDENTIAL) to IND (INDUSTRIAL).

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

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

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

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Jim Renninger, Its Chairman

ATTEST:

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

Exhibit "A-1"

PARCEL 1 (BAYARD POINT – ALL OF TRUST PROPERTY):

A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-209); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 76 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 254.18 FEET; THENCE NORTH 65 DEGREES 07 MINUTES 58 SECONDS EAST 1514.19 FEET; THENCE SOUTH 26 DEGREES 25 MINUTES 13 SECONDS EAST 2125.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 26 DEGREES 25 MINUTES 13 SECONDS EAST 35.37 FEET; THENCE SOUTH 26 DEGREES 07 MINUTES 00 SECONDS EAST 132.25 FEET; THENCE SOUTH 54 DEGREES 34 MINUTES 42 SECONDS EAST 274.05 FEET; THENCE SOUTH 31 DEGREES 21 MINUTES 30 SECONDS EAST 401.97 FEET; THENCE SOUTH 66 DEGREES 32 MINUTES 20 SECONDS EAST 457.01 FEET; THENCE NORTH 37 DEGREES 08 MINUTES 47 SECONDS EAST 196.18 FEET; THENCE NORTH 18 DEGREES 59 MINUTES 12 SECONDS WEST, 250.32 FEET TO A POINT HEREINAFTER REFERRED TO AS REFERENCE POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING; THENCE SOUTH 68 DEGREES 48 MINUTES 20 SECONDS WEST 1647.44 FEET; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 979.19 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE EASTERLY AND HAVING A RADIUS OF 2000.00 FEET, RUN A CHORD DISTANCE OF 327.18 FEET, THE BEARING OF SAID CHORD BEING SOUTH 21 DEGREES 14 MINUTES 16 SECONDS EAST; THENCE NORTH 60 DEGREES 33 MINUTES 09 SECONDS EAST 1130.42 FEET; THENCE SOUTH 32 DEGREES 08 MINUTES 11 SECONDS EAST 705.43 FEET; THENCE SOUTH 70 DEGREES 47 MINUTES 39 SECONDS EAST 619 FEET, MORE OR LESS, TO THE WATERS OF THE ST. JOHNS RIVER; THENCE ALONG SAID WATERS IN A GENERAL NORTHEASTERLY AND NORTHWESTERLY DIRECTION 3844 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 38 DEGREES 23 MINUTES 53 SECONDS EAST 1188 FEET, MORE OR LESS, FROM THE AFORESAID REFERENCE POINT "A"; THENCE SOUTH 38 DEGREES 23 MINUTES 53 SECONDS WEST 1188 FEET, MORE OR LESS, TO SAID REFERENCE POINT "A" AND TO CLOSE.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PORTION OF SAID SECTION 47: COMMENCE AT THE AFORESAID REFERENCE POINT "A"; THENCE SOUTH 59 DEGREES 55 MINUTES 10 SECONDS EAST 619.36 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 32 DEGREES 40 MINUTES 57 SECONDS WEST 356.18 FEET; THENCE SOUTH 63 DEGREES 39 MINUTES 16 SECONDS WEST 332.58 FEET; THENCE SOUTH 35 DEGREES 29 MINUTES 09 SECONDS EAST 450 FEET, MORE OR LESS, TO THE WATERS OF THE ST. JOHNS RIVER; THENCE ALONG SAID WATERS IN A GENERAL NORTHEASTERLY AND NORTHWESTERLY DIRECTION 2172 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 46 DEGREES 14 MINUTES 33 SECONDS EAST 1075 FEET, MORE OR LESS, FROM THE POINT OF BEGINNING;

[LEGAL FOR DENA MAE PROPERTY]

Page 1 of 12

THENCE SOUTH 46 DEGREES 14 MINUTES 33 SECONDS WEST 1075 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO A 60 FOOT WIDE EASEMENT FOR INGRESS, EGRESS, DRAINAGE AND UTILITIES COVERING A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-209); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 76 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 164.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 77.40 FEET; THENCE SOUTH 46 DEGREES 48 MINUTES 34 SECONDS EAST 52.19 FEET; THENCE SOUTH 40 DEGREES 32 MINUTES 03 SECONDS EAST 239.99 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES 36 SECONDS EAST 688.34 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 910.00 FEET, RUN A CHORD DISTANCE OF 188.36 FEET, THE BEARING OF SAID CHORD BEING SOUTH 22 DEGREES 29 MINUTES 11 SECONDS EAST; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 1850.01 FEET; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 884.94 FEET, THE BEARING OF SAID CHORD BEING SOUTH 29 DEGREES 43 MINUTES 48 SECONDS EAST; THENCE SOUTH 42 DEGREES 54 MINUTES 09 SECONDS WEST 60.59 FEET; THENCE NORTH 42 DEGREES 54 MINUTES 50 SECONDS WEST 552.79 FEET; THENCE NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2000.00 FEET, RUN A CHORD DISTANCE OF 912.31 FEET, THE BEARING OF SAID CHORD BEING NORTH 29 DEGREES 43 MINUTES 48 SECONDS WEST; THENCE NORTH 16 DEGREES 32 MINUTES 46 SECONDS WEST 1850.01 FEET; THENCE NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 850.00 FEET, RUN A CHORD DISTANCE OF 175.94 FEET, THE BEARING OF SAID CHORD BEING NORTH 22 DEGREES 29 MINUTES 11 SECONDS WEST; THENCE NORTH 28 DEGREES 25 MINUTES 36 SECONDS WEST 681.98 FEET; THENCE NORTH 40 DEGREES 32 MINUTES 03 SECONDS WEST 230.34 FEET TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH AND SUBJECT TO A 30 FOOT WIDE EASEMENT FOR INGRESS, EGRESS, AND UTILITIES COVERING A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-205); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO

[LEGAL FOR DENA MAE PROPERTY]

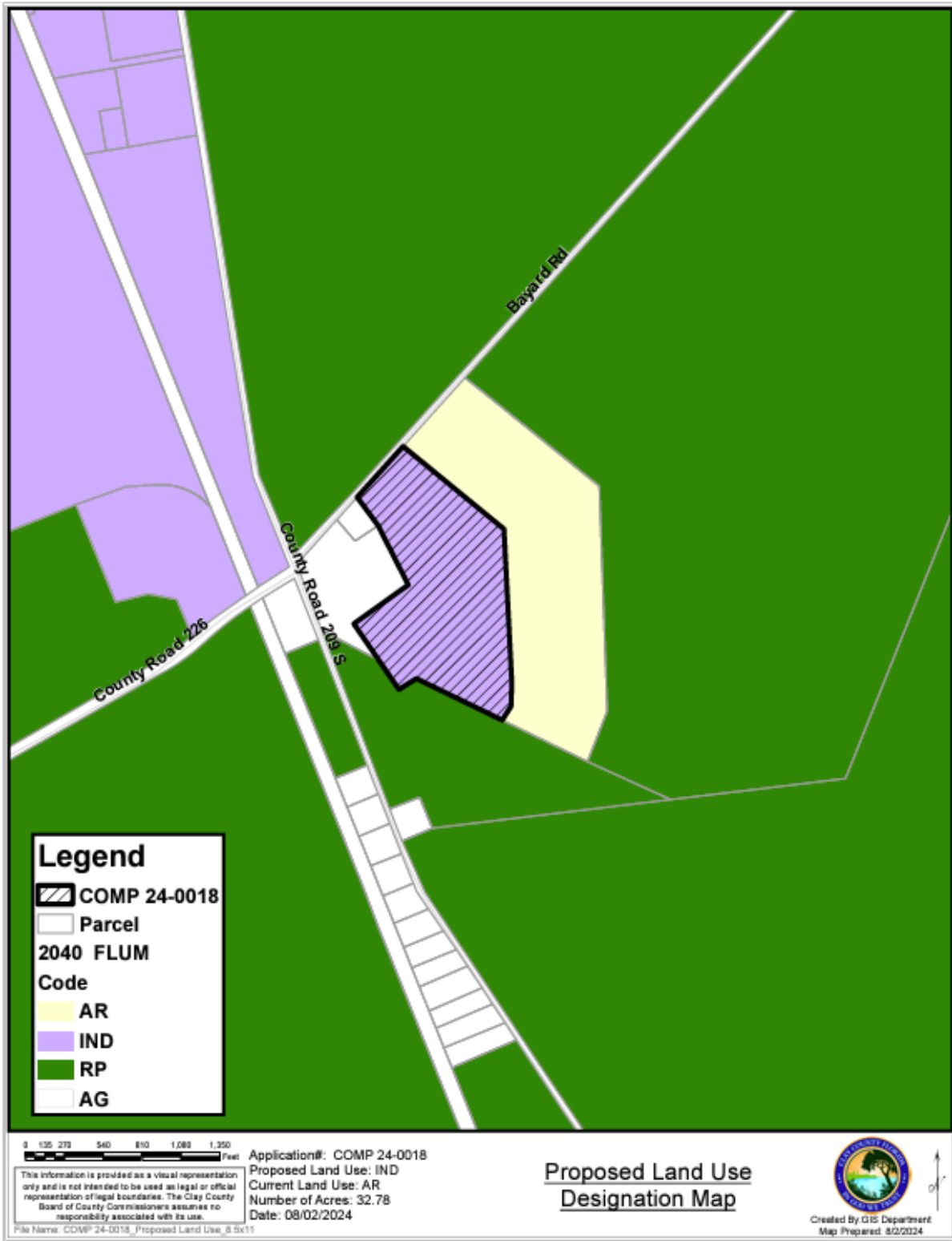
Page 2 of 12

COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 75 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 241.56 FEET; THENCE SOUTH 46 DEGREES 48 MINUTES 34 SECONDS EAST 52.19 FEET; THENCE SOUTH 40 DEGREES 32 MINUTES 03 SECONDS EAST 239.99 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES 36 SECONDS EAST 688.34 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 910.00 FEET, RUN A CHORD DISTANCE OF 188.36 FEET, THE BEARING OF SAID CHORD BEING SOUTH 22 DEGREES 29 MINUTES 11 SECONDS EAST; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 1850.01 FEET; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 758.71 FEET TO THE POINT OF BEGINNING, THE BEARING OF SAID CHORD BEING SOUTH 27 DEGREES 49 MINUTES 21 SECONDS EAST; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 30.19 FEET, THE BEARING OF SAID CHORD BEING SOUTH 39 DEGREES 32 MINUTES 42 SECONDS EAST THENCE NORTH 56 DEGREES 51 MINUTES 35 SECONDS EAST 165.41 FEET THENCE NORTH 60 DEGREES 08 MINUTES 46 SECONDS EAST 292.10 FEET THENCE NORTH 71 DEGREES 10 MINUTES 56 SECONDS EAST 156.49 FEET THENCE NORTH 79 DEGREES 33 MINUTES 13 SECONDS EAST 344.51 FEET THENCE NORTH 62 DEGREES 37 MINUTES 27 SECONDS EAST 66.78 FEET THENCE NORTH 33 DEGREES 19 MINUTES 41 SECONDS EAST 90.36 FEET THENCE NORTH 45 DEGREES 07 MINUTES 52 SECONDS EAST 76.21 FEET THENCE NORTH 50 DEGREES 52 MINUTES 13 SECONDS EAST 448.97 FEET THENCE NORTH 63 DEGREES 39 MINUTES 16 SECONDS EAST 828.69 FEET THENCE NORTH 32 DEGREES 40 MINUTES 57 SECONDS EAST 356.18 FEET THENCE NORTH 57 DEGREES 19 MINUTES 03 SECONDS WEST 30.00 FEET THENCE SOUTH 32 DEGREES 40 MINUTES 57 SECONDS WEST 347.87 FEET THENCE SOUTH 63 DEGREES 39 MINUTES 16 SECONDS WEST 823.74 FEET THENCE SOUTH 50 DEGREES 52 MINUTES 13 SECONDS WEST 453.83 FEET THENCE SOUTH 45 DEGREES 07 MINUTES 52 SECONDS WEST 80.81 FEET THENCE SOUTH 33 DEGREES 19 MINUTES 41 SECONDS WEST 85.62 FEET THENCE SOUTH 62 DEGREES 37 MINUTES 27 SECONDS WEST 54.47 FEET THENCE SOUTH 79 DEGREES 33 MINUTES 13 SECONDS WEST 342.24 FEET THENCE SOUTH 71 DEGREES 10 MINUTES 56 SECONDS WEST 161.59 FEET THENCE SOUTH 60 DEGREES 08 MINUTES 46 SECONDS WEST 295.86 FEET THENCE SOUTH 56 DEGREES 51 MINUTES 35 SECONDS WEST 169.64 FEET TO THE POINT OF BEGINNING.

[LEGAL FOR DENA MAE PROPERTY]

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Exhibit "A-2"



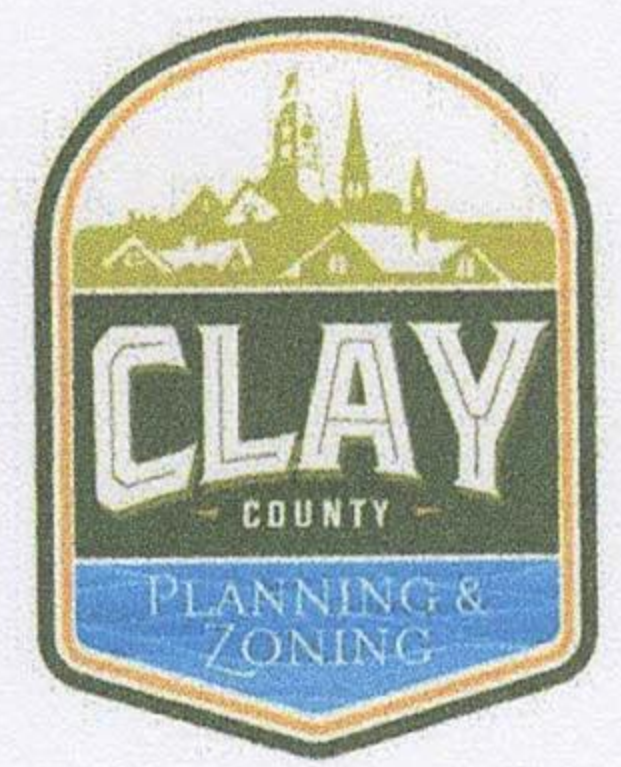


**Department of Economic and Development Services
Planning & Zoning Division**

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

Phone: (904) 284-6300

www.claycountygov.com



Pre-Application Meeting Date:		CAC Meeting Date (if applicable):
Date Rec:	Received By:	IMS #:

Amendment to the Comprehensive Plan Application

Owner's Name: The Lemen Family Declaration of Revocable Trust		If the property is under more than one ownership please use multiple sheets.
Owner's Address: 3957 Susan Dr		
City: Green Cove Springs	State: FL	Zip Code: 32043
Phone: 904-759-9576	Email: siteopt@bellsouth.net	

Parcel Information

Parcel Identification Number Including Section, Township and Range: 38-06-26-016503-005-00		
Address: Bayard Road		
City: Green Cove Springs	State: FL	Zip Code: 32043
Current Land Use: AR	Proposed Land Use: IND	
Total Acreage: 41.75	Adjacent Land Use North: AG	
Adjacent Land Use South: AG	Adjacent Land Use East: AR	
Adjacent Land Use West: AG		

Required Attachments

Agents Authorization Attachment A-1
 Owner's Affidavit Attachment A-2
 Legal Description Attachment A-3
 Aerial Photograph (folded to 8 1/2" x 11")
 Property Deed(s)
 Survey

Statement of Purpose, Scope and Justification (at a minimum) statements and supporting material of the following:

- Proposed Density and/or Intensity of Use
- Urban Sprawl
- Site Suitability
- Recreation Impacts and Improvements**
- Traffic Impacts and Improvements**
- Stormwater / Drainage Impacts and Improvements**
- Solid Waste Impacts and Improvements**
- Water and Wastewater Impacts and Improvements**

**Please include description of improvements necessary to accommodate the proposed changes, as well as supporting data and proposed funding sources.

Fees: Large Scale Amendment: \$2500.00 + \$5.00 per acre or fraction thereof
 Text Amendment: \$2,500.00
 Small Scale Amendment \$1,500.00

Notices

The required SIGN(S) must be POSTED on the property BY THE APPLICANT 15 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 ten (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 10 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 (3) minutes.

If you decide to appeal any decision made by the Board of County Commissioners with respect to any matter considered at your comprehensive plan amendment 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 comprehensive plan amendment 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.

Owner(s) / Authorized Agent Signature

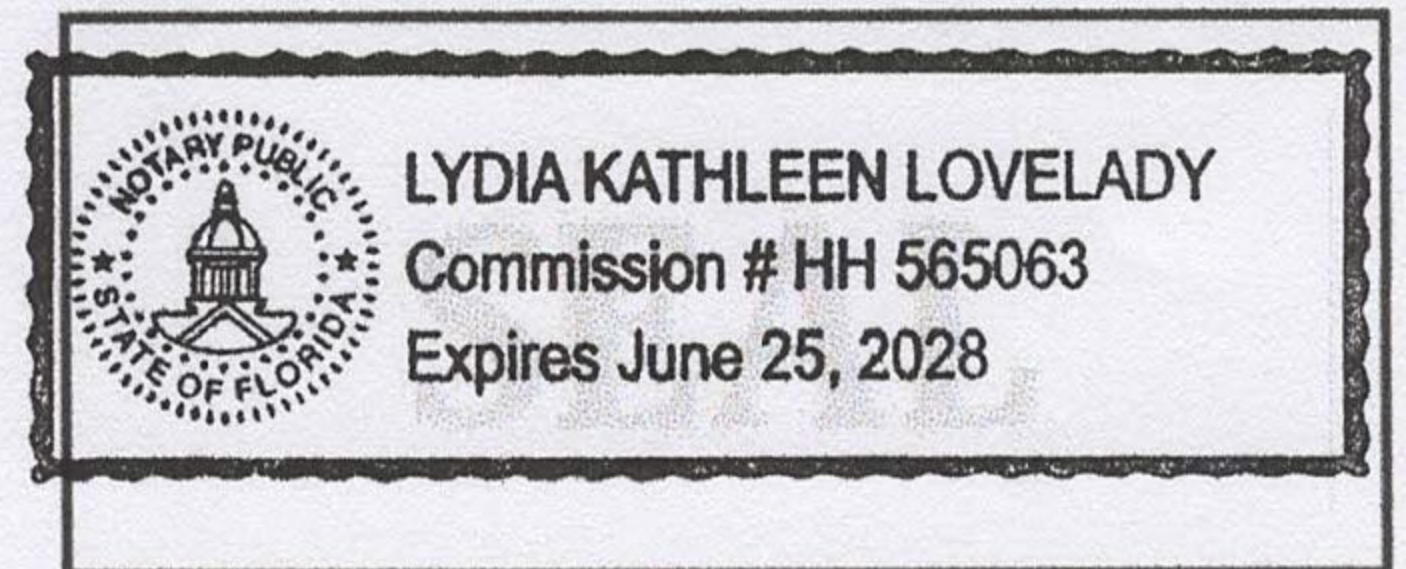
[Handwritten Signature]

Owner(s) / Authorized Agent Signature

State of Florida
County of Clay

The foregoing affidavit was sworn and subscribed before me this 31st day of July (month), 2024 (year) by Kelly Hartwig, who is personally known to me or has produced FLDL as identification.

[Handwritten Signature]
Notary Signature



Clay County Comprehensive Plan Amendment Agent Authorization Affidavit – Attachment A-1

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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. As the Owner, I hereby authorize and empower

whose address is:

Kelly Horning
P.O. Box 8880, Fleming Is, Fl. 32086

Phone: 904-759-9576

Email: Siteopt@bellusa5th.net

to act as agent for a comprehensive plan amendment for the property located at (address or Parcel ID):

38-06-26-016503-000-00

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

Owner's Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Susan Lemen Williams

7/31/24

Signature of Owner:

Date:

Susan Lemen Williams

Printed Name of Owner:

Sworn to and subscribed before me this 31st day of July A.D. 20 24

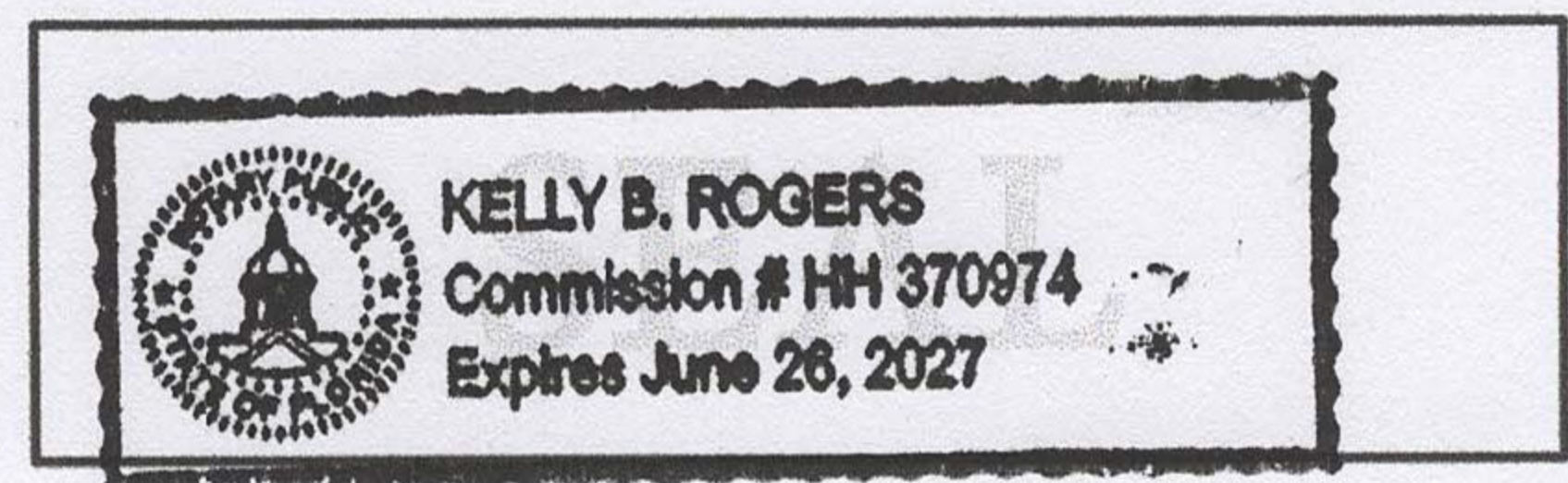
Personally known or produced identification.

Type of identification produced _____ and number (#): _____

Kelly B Rogers *7/31/2024*

Signature of Notary

Date:



Clay County Comprehensive Plan Amendment Property Ownership Affidavit - Attachment A-2

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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 comprehensive plan amendment.

Owner's Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Susan Lemen Williams 7/31/24

Signature of Owner:

Date:

Susan Lemen Williams

Printed Name of Owner:

Sworn to and subscribed before me this 31st day of July A.D. 20 24

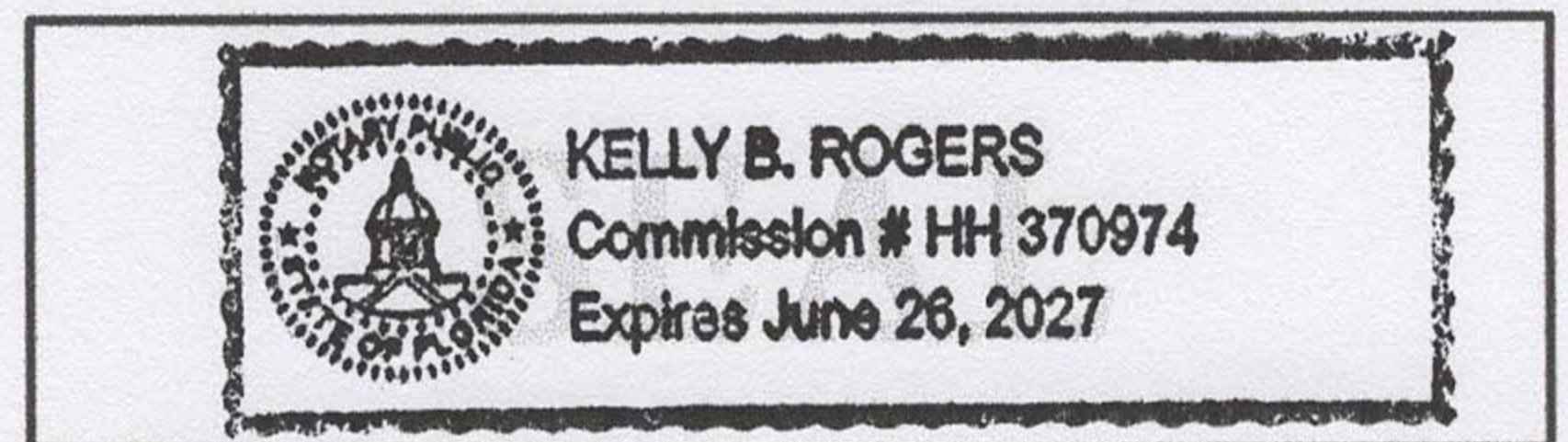
Personally known or produced identification.

Type of identification produced _____ and number (#): _____

Kelly B. Rogers 7/31/24

Signature of Notary

Date:





Rezoning Application ZON-24-0024

Staff Report

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

Owner Information

Owner: The Lemen Family Declaration of Revocable Trust	Address: 3957 Susan Drive, Green Cove Springs, FL 32043
Agent: Kelly Hartwig	PO Box 8880, Fleming Island, FL 32006
Parcel #: 38-06-26-016503-006-00	

Property Information (all parcels)

Current Zoning: AG (Agricultural)	Land Use: AR (Agricultural Residential)
Zoning Proposed: IB (Heavy Industrial)	Total Acres: 32.78
Commission District: 5 (Commissioner Burke)	Planning District: Springs

Background

A request to rezone and amend the Zoning Atlas for approximately ±33 acres that is currently within the AG (Agricultural) zoning district. The property is currently vacant. The land is adjacent to another parcel that is owned by the Applicant that is also pursuing the same request for rezoning. The parcels to the northwest and southwest of the subject property, have a Future Land Use of Recreation/Preservation and are owned by the St John’s River Water Management District. These parcels as outlined in the Clay County Comprehensive Plan are generally owned by public or quasi-public entities. The lands are held for use as non-profit public recreation and open space amenities, and include natural resource land management activities and associated uses. Those owned and maintained by public agencies and open to the public comprise the inventory of regional park facilities in Clay County”, and therefore have limited ability to develop. The property to the east is currently requesting an Industrial land use and a Heavy Industrial zoning category. The property is in close proximity to the active CSX railroad line and the proposed First Coast Expressway. As the transportation investments that support a heavy industrial use are in place, or will be within the short term, the expansion of the Industrial district is an appropriate change. The requested change is supported by the Clay County 2040 Comprehensive Plan through objective EDE 1.2 which states:

EDE OBJ 1.2 Clay County shall ensure an adequate supply of land uses that support a viable economy and allow for employment generation such as office and industrial uses on the Future Land Use Map (FLUM).

EDE POLICY 1.2.1 Clay County shall prioritize the land use planning of sites meeting the locational requirements of identified targeted/key industries and basic industries uses in appropriate and compatible locations and recognize this priority

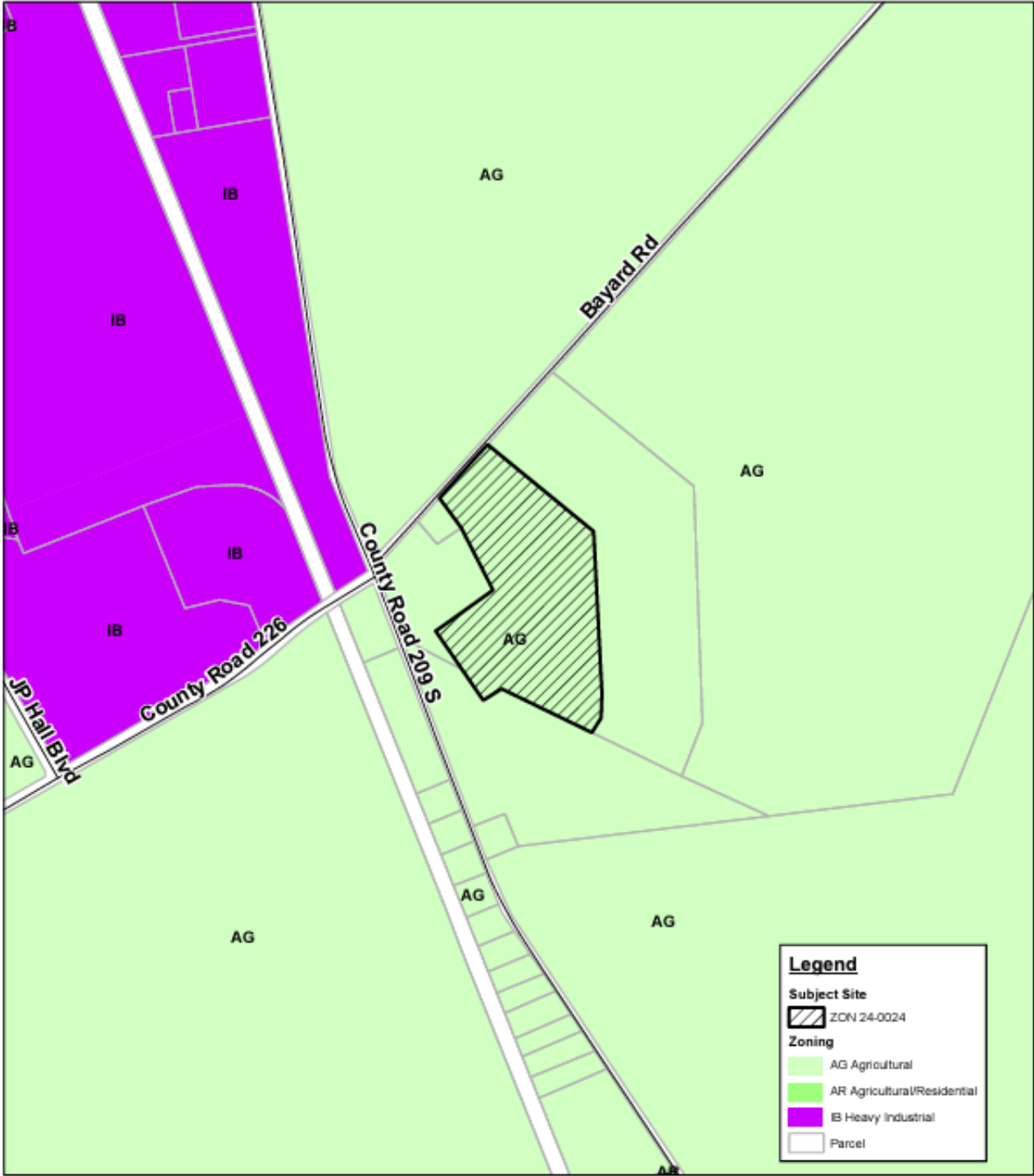
during the review of plan amendments, rezoning requests, site plan approvals and permitting processes.

The Applicant does not currently have an end user for the land, but is setting the table for a future heavy industrial user as the County Comprehensive Plan calls for.

The zoning and future land use of the parcels surrounding the subject parcel is provided in the table below and in Figure 1, and are primarily residential to the east and industrial to the west. Existing uses in the area are primarily residential and agricultural. An aerial of the area is provided in Figure 2.

	ZONING	FUTURE LAND USE
North	AG (Agricultural)	RP (Recreation/Preservation)
East	IB Industrial (Proposed under ZON 24-0023)	IND Industrial (Proposed under COMP 24-0017)
West	AG (Agricultural)	AG (Agricultural)
South	AG (Agriculture)	RP (Recreation/Preservation)

Figure 1 Existing Zoning

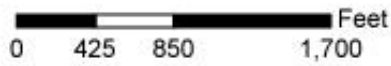
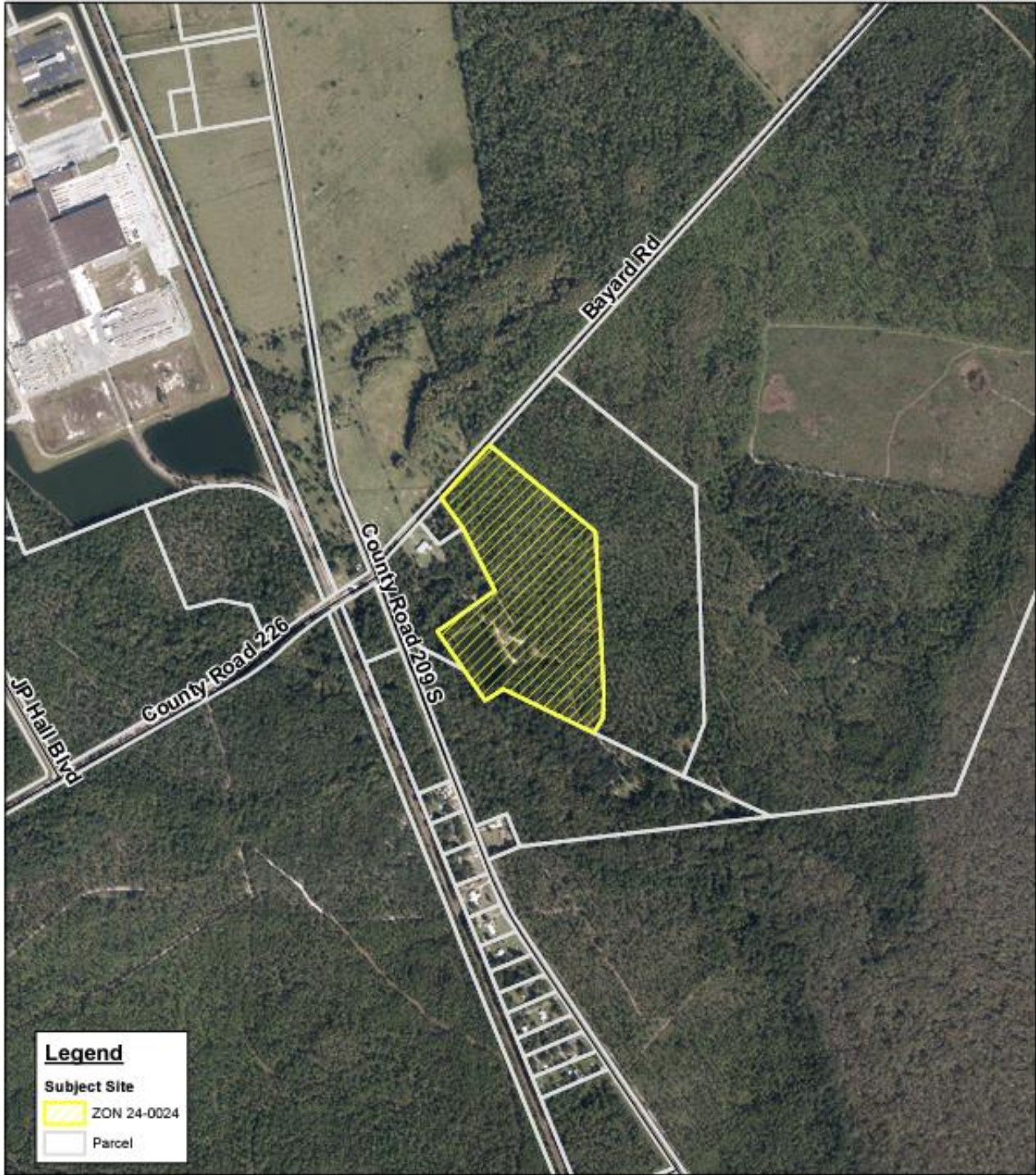


0 425 850 1,700 Feet

Existing Zoning
Proposed Rezoning: ZON 24-0024
From AG to IB



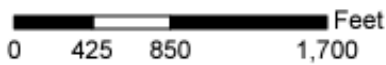
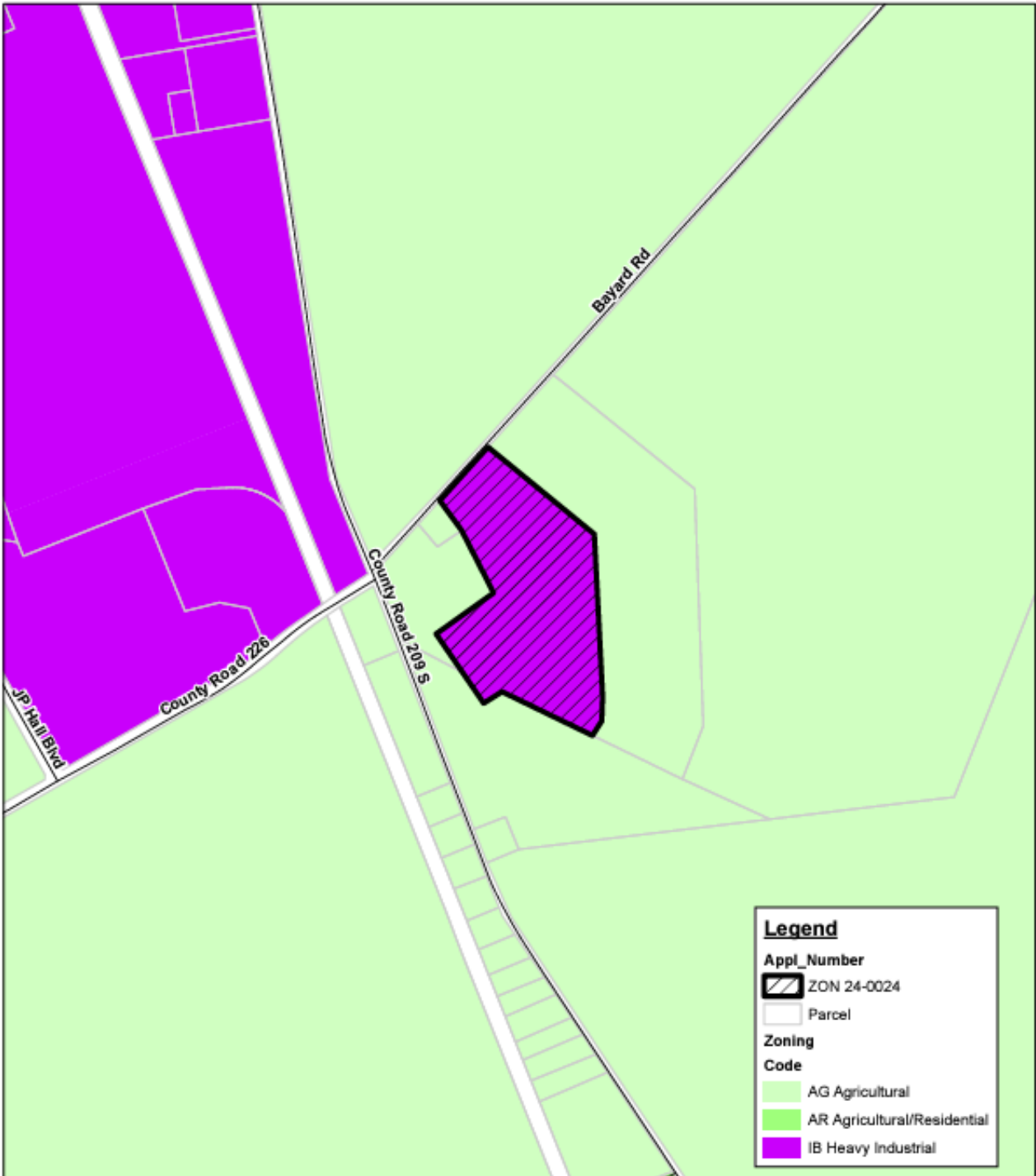
Figure 2 Aerial



Aerial Map
Proposed Rezoning: ZON 24-0024
From AG to IB



Proposed Zoning



**Proposed Rezoning: ZON 24-0024
From AG to IB**



Proposed IB Zoning District

Sec. 3-30. HEAVY INDUSTRIAL (ZONE IB)

- (a) *Area.* All land designated as Zone IB is subject to the regulations of this Section and Sec. 20.3-10. Such areas are established in order to provide adequate areas for activities of a heavy industrial nature. A site plan conforming to the requirements of this chapter shall be submitted to the Planning and Zoning Department for administrative review and approval prior to obtaining a building permit for all uses within this District.
- (b) *Uses Permitted.*
- (1) Any uses permitted in the Light Industrial District (Zone IA) and Industrial Select District (Zone IS).
 - (2) Airports, landing strips, and heliports. The development and operation of these facilities shall conform to all rules and regulations of all governmental agencies having appropriate jurisdiction and to the performance standards of this Article.
 - (3) Accessory uses such as dining and recreation facilities as convenience to occupants thereof and their customers and employees, and business offices accessory to the primary industrial use.
 - (4) 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).
 - (5) Any manufacturing, recycling, distribution, warehousing, or associated uses not in conflict with ordinances dealing with incinerators and toxic or hazardous waste.
 - (6) Medical Transport. (Rev. 10/26/10)
- (c) *Conditional Uses.* The following uses are permitted in the IB zoning district, subject to the conditions provided in Section 20.3-5.
- (1) Public assembly.
 - (2) Rock crushing; rock or sand storage yards; and stone cutting.
 - (3) Residential dwelling.
 - (4) Public and/or private sewer facilities.
 - (5) Land Clearing Debris Disposal Facility (Amended 6/98 - Ord. 98-27)
 - (6) Recreational Vehicle and Boat Storage

- (d) *Uses Not Permitted.*
 - (1) Any use not allowed in (b) or (c) above.
- (e) *Lighting Adjacent to Residential Districts.* Artificial lighting used to illuminate the premises and/or advertising copy shall be directed away from adjacent residential or agricultural districts.
- (f) *Density Requirements.* The maximum density for development on land with the IB zoning classification shall correspond to a floor area ratio (FAR) of fifty (50) percent.
- (g) *Lot and Building Requirements.* The principal building(s), accessory structures and other uses shall be located so as to comply with the following minimum requirements.
 - (1) Side lot setbacks on property which abuts residential or agricultural districts shall be not less than 20 feet. If said lot is a corner lot, the setback shall be the same as for the front lot.
 - (2) Rear lot line setbacks shall be twenty (20) feet. If the rear yard does not abut a public street, then access shall be not less than twenty (20) feet in width and shall be unobstructed at all times.
 - (3) Front lot line setbacks shall in no case be less than twenty-five (25) feet.
 - (4) All structures shall be set back a minimum of 50 feet landward from the ordinary high-water line or mean high water line, whichever is applicable; for waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks shall not apply to structures on lots or parcels located landward of existing bulkheads permitted by the St. Johns River Water Management District or Florida Department of Environmental Protection.
 - (5) Where a district is adjacent to a lot line of property of a residential or agricultural classification, no materials, garbage containers, or refuse shall be allowed nearer than fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be screened so as not to be readily visible.
 - (6) Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on center. For all development commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For developments that commence after this date, the provisions of Article VI of the Clay County Land Development Code

In addition to the above, Staff also reviewed the request against the Code Article 12-9(3) – **General criteria for rezoning application for rezoning** and found the following:

- a) Whether the proposed change will create an isolated district unrelated to or incompatible with adjacent and nearby districts; *The subject property is in close proximity to Industrial zoning and land uses.*
- b) Whether the district boundaries are illogically drawn in relation to the existing conditions on the real property proposed for change; *The subject property is in close proximity to infrastructure to support the use and therefore the boundary is not illogically drawn.*
- c) Whether the conditions which existed at the time the real property was originally zoned have changed or are changing, and, to maintain consistency with the Plan, favor the adoption of the proposed Rezoning; *The industrial land uses and zoning districts are expanding from the north, as well as the County is losing industrial lands due to City annexation.*
- d) Whether the affected real property cannot be used in accordance with existing zoning; *The land can be used in other ways, however the request is consistent with the pattern of development in the area.*
- e) Whether the proposed Rezoning application is compatible with and furthers the County's stated objectives and policies of the Plan. *As previously stated, the change to Industrial is in keeping with the County's Plan.*
- f) Whether maintenance of the existing zoning classification for the proposed Rezoning serves a legitimate public purpose; *The rezoning of the subject property would allow the County to further their supply of land uses that are available as employment centers.*
- g) Whether maintenance of the status quo is no longer reasonable when the proposed Rezoning is inconsistent with surrounding land use; *Not applicable.*
- h) Whether there is an inadequate supply of sites in the County for the proposed intensity or density within the district already permitting such intensity or density. *As stated, the County has recently had a loss in the Industrial land inventory due to City annexation*

Staff Recommendation

This is an Applicant requested rezoning application to change approximately 33.00 acres MOL from AG to IB. Given the presence of existing transportation systems that can support heavy industrial in the area, and the adjacent lands will remain as preservation lands, the zoning change request appears appropriate.

This request is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, as outlined above and is compatible with the surrounding zoning and future land use. Staff recommends **approval** of application ZON 24-0024.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2040 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2018-31, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF A SINGLE PARCEL OF LAND (TAX PARCEL IDENTIFICATION # 38-06-26-016503-006-00), TOTALING APPROXIMATELY 32.79 ACRES, FROM AG (AGRICULTURAL) TO IND (INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application ZON 24-0024 seeks to rezone certain real property (tax parcel identification # 39-06-26-16503-006-00) (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 present zoning classifications of the Property are hereby changed from AR (Agricultural/Residential District) to IB (Heavy Industrial District).

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 as provided by law.

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

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Jim Renninger, Its Chairman

ATTEST:

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

Exhibit "A-1"

EXHIBIT "A"

PARCEL 1 (BAYARD POINT – ALL OF TRUST PROPERTY):

A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-209); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 76 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 43 MINUTES 43 SECONDS EAST 254.18 FEET; THENCE NORTH 65 DEGREES 07 MINUTES 58 SECONDS EAST 1514.19 FEET; THENCE SOUTH 26 DEGREES 25 MINUTES 13 SECONDS EAST 2125.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 26 DEGREES 25 MINUTES 13 SECONDS EAST 35.37 FEET; THENCE SOUTH 26 DEGREES 07 MINUTES 00 SECONDS EAST 132.25 FEET; THENCE SOUTH 54 DEGREES 34 MINUTES 42 SECONDS EAST 274.05 FEET; THENCE SOUTH 31 DEGREES 21 MINUTES 30 SECONDS EAST 401.97 FEET; THENCE SOUTH 66 DEGREES 32 MINUTES 20 SECONDS EAST 457.01 FEET; THENCE NORTH 37 DEGREES 08 MINUTES 47 SECONDS EAST 196.18 FEET; THENCE NORTH 18 DEGREES 59 MINUTES 12 SECONDS WEST, 250.32 FEET TO A POINT HEREINAFTER REFERRED TO AS REFERENCE POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING; THENCE SOUTH 68 DEGREES 48 MINUTES 20 SECONDS WEST 1647.44 FEET; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 979.19 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE EASTERLY AND HAVING A RADIUS OF 2000.00 FEET, RUN A CHORD DISTANCE OF 327.18 FEET, THE BEARING OF SAID CHORD BEING SOUTH 21 DEGREES 14 MINUTES 16 SECONDS EAST; THENCE NORTH 60 DEGREES 33 MINUTES 09 SECONDS EAST 1130.42 FEET; THENCE SOUTH 32 DEGREES 08 MINUTES 11 SECONDS EAST 705.43 FEET; THENCE SOUTH 70 DEGREES 47 MINUTES 39 SECONDS EAST 619 FEET, MORE OR LESS, TO THE WATERS OF THE ST. JOHNS RIVER; THENCE ALONG SAID WATERS IN A GENERAL NORTHEASTERLY AND NORTHWESTERLY DIRECTION 3844 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 38 DEGREES 23 MINUTES 53 SECONDS EAST 1188 FEET, MORE OR LESS, FROM THE AFORESAID REFERENCE POINT "A"; THENCE SOUTH 38 DEGREES 23 MINUTES 53 SECONDS WEST 1188 FEET, MORE OR LESS, TO SAID REFERENCE POINT "A" AND TO CLOSE.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PORTION OF SAID SECTION 47: COMMENCE AT THE AFORESAID REFERENCE POINT "A"; THENCE SOUTH 59 DEGREES 55 MINUTES 10 SECONDS EAST 619.36 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 32 DEGREES 40 MINUTES 57 SECONDS WEST 356.18 FEET; THENCE SOUTH 63 DEGREES 39 MINUTES 16 SECONDS WEST 332.58 FEET; THENCE SOUTH 35 DEGREES 29 MINUTES 09 SECONDS EAST 450 FEET, MORE OR LESS, TO THE WATERS OF THE ST. JOHNS RIVER; THENCE ALONG SAID WATERS IN A GENERAL NORTHEASTERLY AND NORTHWESTERLY DIRECTION 2172 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 46 DEGREES 14 MINUTES 33 SECONDS EAST 1075 FEET, MORE OR LESS, FROM THE POINT OF BEGINNING;

[LEGAL FOR DENA MAE PROPERTY]

Page 1 of 12

THENCE SOUTH 46 DEGREES 14 MINUTES 33 SECONDS WEST 1075 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO A 60 FOOT WIDE EASEMENT FOR INGRESS, EGRESS, DRAINAGE AND UTILITIES COVERING A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-209); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 76 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 164.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 77.40 FEET; THENCE SOUTH 46 DEGREES 48 MINUTES 34 SECONDS EAST 52.19 FEET; THENCE SOUTH 40 DEGREES 32 MINUTES 03 SECONDS EAST 239.99 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES 36 SECONDS EAST 688.34 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 910.00 FEET, RUN A CHORD DISTANCE OF 188.36 FEET, THE BEARING OF SAID CHORD BEING SOUTH 22 DEGREES 29 MINUTES 11 SECONDS EAST; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 1850.01 FEET; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 884.94 FEET, THE BEARING OF SAID CHORD BEING SOUTH 29 DEGREES 43 MINUTES 48 SECONDS EAST; THENCE SOUTH 42 DEGREES 54 MINUTES 50 SECONDS EAST 544.32 FEET; THENCE SOUTH 39 DEGREES 03 MINUTES 09 SECONDS WEST 60.59 FEET; THENCE NORTH 42 DEGREES 54 MINUTES 50 SECONDS WEST 552.79 FEET; THENCE NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2000.00 FEET, RUN A CHORD DISTANCE OF 912.31 FEET, THE BEARING OF SAID CHORD BEING NORTH 29 DEGREES 43 MINUTES 48 SECONDS WEST; THENCE NORTH 16 DEGREES 32 MINUTES 46 SECONDS WEST 1850.01 FEET; THENCE NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 850.00 FEET, RUN A CHORD DISTANCE OF 175.94 FEET, THE BEARING OF SAID CHORD BEING NORTH 22 DEGREES 29 MINUTES 11 SECONDS WEST; THENCE NORTH 28 DEGREES 25 MINUTES 36 SECONDS WEST 681.98 FEET; THENCE NORTH 40 DEGREES 32 MINUTES 03 SECONDS WEST 230.34 FEET TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH AND SUBJECT TO A 30 FOOT WIDE EASEMENT FOR INGRESS, EGRESS, AND UTILITIES COVERING A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-20S); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO

[LEGAL FOR DENA MAE PROPERTY]

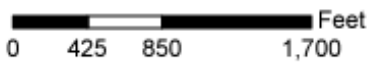
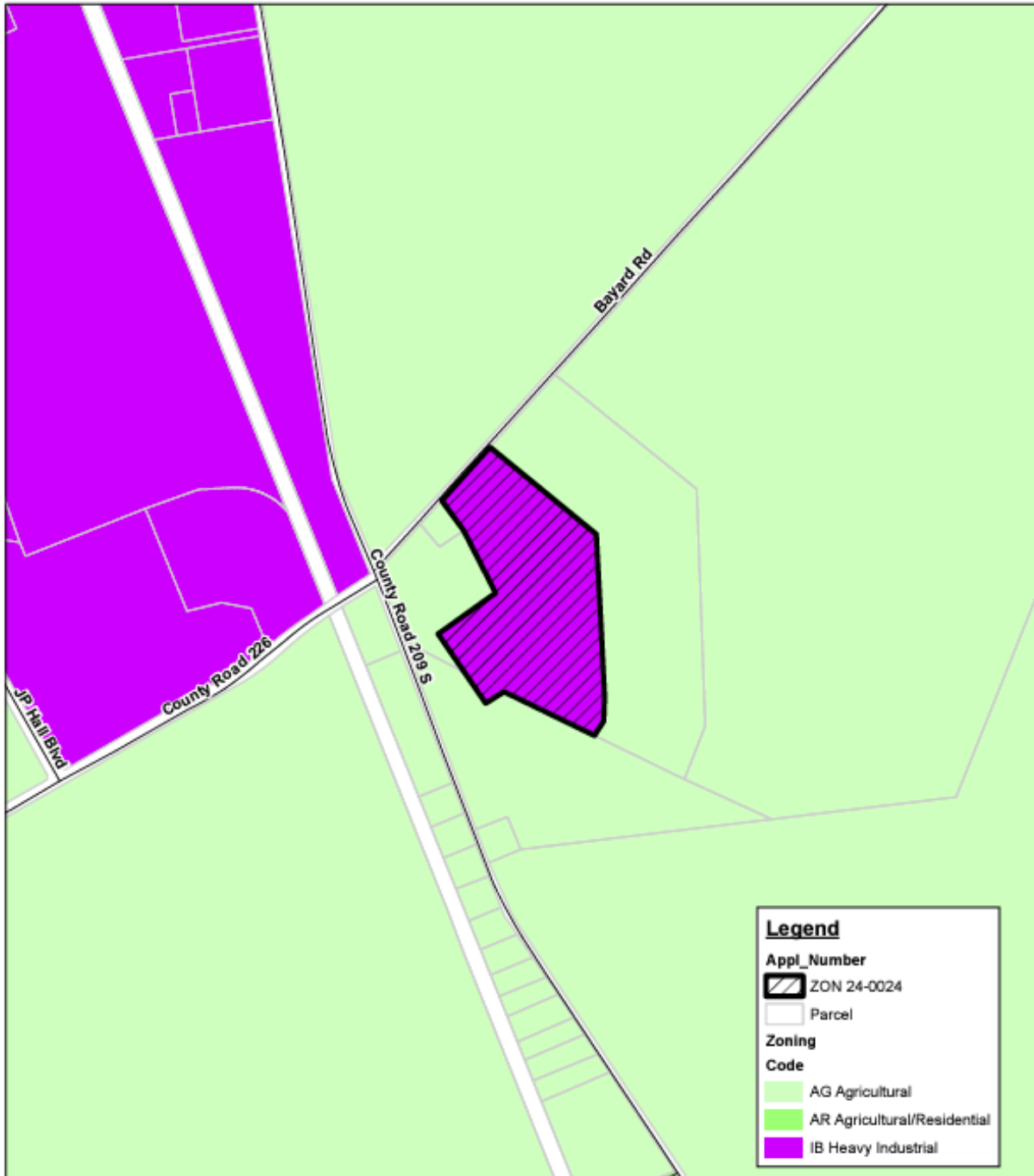
Page 2 of 12

COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 75 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 241.56 FEET; THENCE SOUTH 46 DEGREES 48 MINUTES 34 SECONDS EAST 52.19 FEET; THENCE SOUTH 40 DEGREES 32 MINUTES 03 SECONDS EAST 239.99 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES 36 SECONDS EAST 688.34 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 910.00 FEET, RUN A CHORD DISTANCE OF 188.36 FEET, THE BEARING OF SAID CHORD BEING SOUTH 22 DEGREES 29 MINUTES 11 SECONDS EAST; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 1850.01 FEET; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 758.71 FEET TO THE POINT OF BEGINNING, THE BEARING OF SAID CHORD BEING SOUTH 27 DEGREES 49 MINUTES 21 SECONDS EAST; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 30.19 FEET, THE BEARING OF SAID CHORD BEING SOUTH 39 DEGREES 32 MINUTES 42 SECONDS EAST THENCE NORTH 56 DEGREES 51 MINUTES 35 SECONDS EAST 165.41 FEET THENCE NORTH 60 DEGREES 08 MINUTES 46 SECONDS EAST 292.10 FEET THENCE NORTH 71 DEGREES 10 MINUTES 56 SECONDS EAST 156.49 FEET THENCE NORTH 79 DEGREES 33 MINUTES 13 SECONDS EAST 344.51 FEET THENCE NORTH 62 DEGREES 37 MINUTES 27 SECONDS EAST 66.78 FEET THENCE NORTH 33 DEGREES 19 MINUTES 41 SECONDS EAST 90.36 FEET THENCE NORTH 45 DEGREES 07 MINUTES 52 SECONDS EAST 76.21 FEET THENCE NORTH 50 DEGREES 52 MINUTES 13 SECONDS EAST 448.97 FEET THENCE NORTH 63 DEGREES 39 MINUTES 16 SECONDS EAST 828.69 FEET THENCE NORTH 32 DEGREES 40 MINUTES 57 SECONDS EAST 356.18 FEET THENCE NORTH 57 DEGREES 19 MINUTES 03 SECONDS WEST 30.00 FEET THENCE SOUTH 32 DEGREES 40 MINUTES 57 SECONDS WEST 347.87 FEET THENCE SOUTH 63 DEGREES 39 MINUTES 16 SECONDS WEST 823.74 FEET THENCE SOUTH 50 DEGREES 52 MINUTES 13 SECONDS WEST 453.83 FEET THENCE SOUTH 45 DEGREES 07 MINUTES 52 SECONDS WEST 80.81 FEET THENCE SOUTH 33 DEGREES 19 MINUTES 41 SECONDS WEST 85.62 FEET THENCE SOUTH 62 DEGREES 37 MINUTES 27 SECONDS WEST 54.47 FEET THENCE SOUTH 79 DEGREES 33 MINUTES 13 SECONDS WEST 342.24 FEET THENCE SOUTH 71 DEGREES 10 MINUTES 56 SECONDS WEST 161.59 FEET THENCE SOUTH 60 DEGREES 08 MINUTES 46 SECONDS WEST 295.86 FEET THENCE SOUTH 56 DEGREES 51 MINUTES 35 SECONDS WEST 169.64 FEET TO THE POINT OF BEGINNING.

[LEGAL FOR DENA MAE PROPERTY]

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Exhibit "A-2"



**Proposed Rezoning: ZON 24-0024
From AG to IB**



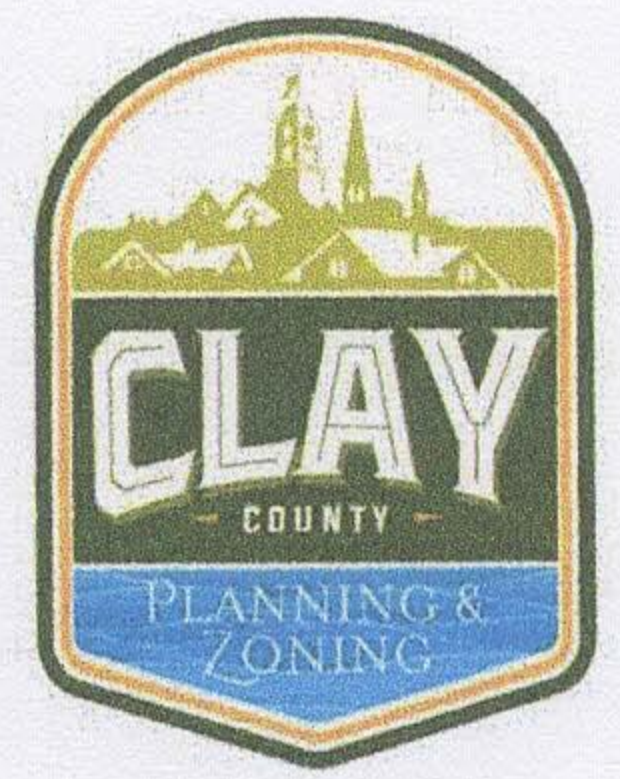


Department of Economic and Development Services
Planning & Zoning Division

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

Phone: (904) 284-6300

www.claycountygov.com



Pre-Application Meeting Date:		CAC Meeting Date (if applicable):
Date Rec:	Received By:	IMS #:

REZONING APPLICATION

Owner's Name: The Lemen Family Declaration of Revocable Trust		If the property is under more than one ownership please use multiple sheets.
Owner's Address: 3957 Susan Dr		
City: Green Cove Springs	State: FL	Zip Code: 32043
Phone: (904)759-9576	Email: siteopt@bellsouth.net	

Parcel & Rezoning Information

Parcel Identification Number: 39-06-26-16503-006-00		
Address: Bayard Road		
City: Green Cove Springs	State: FL	Zip Code: 32043
Number of Acres being Rezoned: 32.78999	Current Zoning: AG	Current Land Use: AR
Proposed Zoning: IB	I am seeking a: Permitted Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/>	
Property Will be Used as:	Industrial	

Required Attachments

Deed
 Survey
 Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5
 Agents Authorization Attachment A-1
 Owner's Affidavit Attachment A-2
 Legal Description Attachment A-3
 Supplemental Development Questions if Rezoning to PUD PCD PID Attachment A-4

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 ten (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 (3) 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.

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.

Owner's Signature

Date: 7/3/24

Printed Name: Kelly Haerwig

Kelly

The rest of this space is intentionally left blank

Clay County Rezoning Agent Authorization Affidavit - Attachment A-1

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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. As the Owner, I hereby authorize and empower

Kelly Hartwig whose address is:

P.O. Box 8880, Fleming Island, FL 32006

Phone: 904-759-9576 Email: Siteopt @ bellsouth.net

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

38-06-26-016503-006-00

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

Owner's Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Susan Lemen Williams 7/31/24

Signature of Owner:

Date:

Susan Lemen Williams

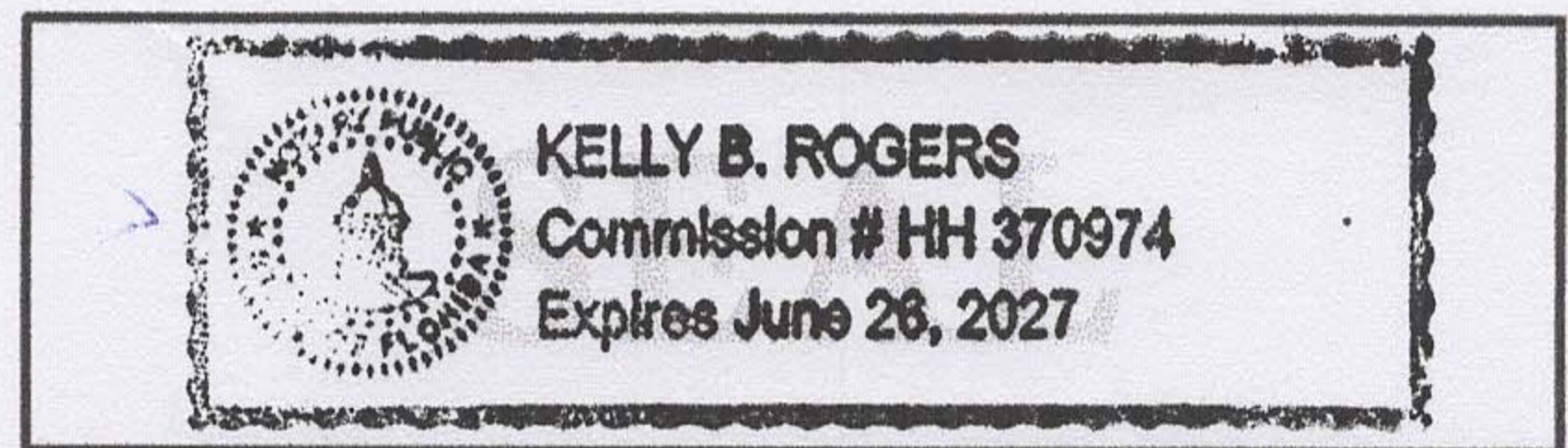
Printed Name of Owner:

Sworn to and subscribed before me this 31st day of July A.D. 20 24

Personally known or produced identification.

Type of identification produced _____ and number (#): _____

Kelly B. Rogers 7/31/24
Signature of Notary Date:



Clay County Rezoning Property Ownership Affidavit – Attachment A-2

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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.

Owner's Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Susan Lemen Williams

7/31/24

Signature of Owner:

Date:

Susan Lemen Williams

Printed Name of Owner:

Sworn to and subscribed before me this 31st day of July A.D. 20 24

Personally known or produced identification.

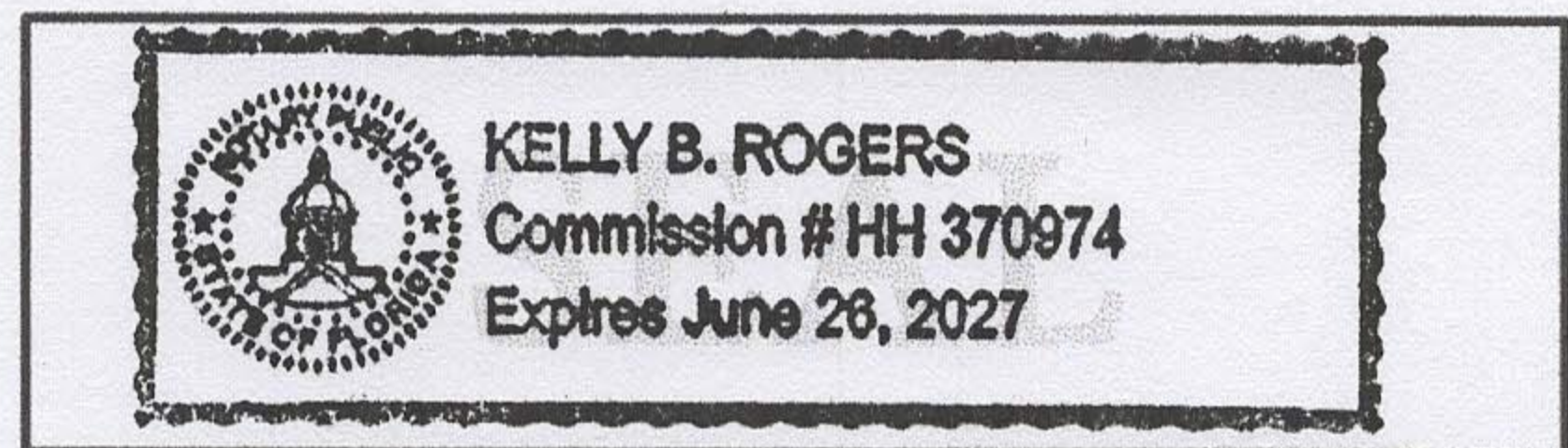
Type of identification produced _____ and number (#): _____

Kelly B Rogers

7/31/24

Signature of Notary

Date:





Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, October 1 5:00 PM

TO: Planning Commission

DATE: 8/2/2024

FROM: Jenni Bryla, Zoning Chief

SUBJECT:

A. COMP 24-0017

This application is a FLUM Amendment to change 41.75 acres Agricultural Residential (AR) to Industrial (IND).

B. ZON 24-0023

This application is a rezoning to change from Agricultural Residential District (AR) to Heavy Industrial (IB).

AGENDA ITEM TYPE:

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Applicant

Owner: The Lemmen Family Declaration of Revocable Trust

Agent: Kelly Hartwig

ATTACHMENTS:

Description Type	Upload Date	File Name
Staff Report for COMP 24-0017 Cover Memo	9/26/2024	COMP_24-0017_Staff_Report-_DRAFT_jb_bc.ADA.pdf
Ordinance COMP 24-0017	9/26/2024	COMP_24-0017_Ordinance-_Final.ADA.pdf
application Backup Material	9/26/2024	Admendment_to_the_Comprehensive_plan_application_v1.ADA.pdf
Staff Report for ZON 24-0023 Cover Memo	9/26/2024	ZON_24-0023-_Saff_Report-_bc_jb.ADA.pdf

ZON 24-0023 MEMO

Ordinance

▢ ZON 24-0023 Ordinance 9/26/2024 ZON_24-0023_Ordinance-Final.ADA.pdf

▢ application Backup Material 9/26/2024 Rezoning_Application_v1.ADA.pdf



1 **Staff Report and Recommendations for COMP 24-0017**

2

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

5

6 **Owner / Applicant Information:**

Owner: The Lemen Family Declaration of Revocable Trust **Address:** 3957 Susan Drive
Green Cove Springs, FL 32043
Agent: Kelly Hartwig
Phone: 904-759-9576
Email: siteopt@bellsouth.net

7

8 **Property Information**

Parcel ID: 39-06-26-016503-005-00 **Address:** Bayard Road
Current Land Use: AR (Agricultural/Residential) **Current Zoning:** AG (Agricultural)
Proposed Land Use: IND (Industrial) **Acres:** 41.75 +/- acres
Commission District: 5, Comm. Burke **Planning District:** Springs

9

10 **Introduction:**

11 This is a privately initiated application for a Small-Scale Comprehensive Plan Amendment to the
12 2040 Future Land Use Map (FLUM). The application would change a single parcel approximately
13 42 acres in size MOL of land from AR (Agricultural/Residential) to IND (Industrial). The property
14 is currently vacant. The subject parcel lies on the south east side of Bayard Rd and east of CR 209.

15

16 The parcel to the west is owned by the Applicant and is the subject of a similar request, the parcel to
17 the east is owned by the St John's River Water Management District with a RP
18 Recreation/Preservation Land Use designation. These lands are held for use as non-profit public
19 recreation and open space amenities, and include natural resource land management activities and
20 associated uses and therefore have limited ability to develop. The parcels to the northwest of the
21 subject property have a Future Land Use of Industrial and are in a Heavy Industrial (IB) Zoning
22 district. The property is in close proximity to the active CSX railroad line and in close proximity to
23 the proposed First Coast Expressway. As the transportation investments that support a heavy
24 industrial use are in place, or will be within the short term, the expansion of the Industrial district is
25 an appropriate request. The requested change is supported by the Clay County 2040 Comprehensive
26 Plan through objective EDE 1.2 which states:

27

28 EDE OBJ 1.2 Clay County shall ensure an adequate supply of land uses that support a viable
29 economy and allow for employment generation such as office and industrial uses on
30 the Future Land Use Map (FLUM).

31 EDE POLICY 1.2.1 Clay County shall prioritize the land use planning of sites meeting
32 the locational requirements of identified targeted/key industries and basic industries
33 uses in appropriate and compatible locations and recognize this priority during the
34 review of plan amendments, rezoning requests, site plan approvals and permitting
35 processes.

36
37 The Applicant does not currently have an end user for the land, but is “setting the table” for a
38 future heavy industrial user as the 2040 County Comprehensive Plan calls for. A companion
39 Rezoning application from AR to IB follows this comprehensive plan amendment request.
40

41 **Analysis of Surrounding Uses**

42 The proposed Future Land Use amendment would change the acreage of a single parcel of land (41.75 acres)
43 from AR (Agriculture/Residential) to IND (Industrial). This change would be in keeping with the evolving
44 character of the surrounding districts as shown in the table below:

	Future Land Use	Zoning District
North	Recreation/preservation Industrial	IB/AG
South	Recreation/Preservation	AG (Agriculture)
East	Recreation/Preservation	AG (Agricultural)
West	AR (Agriculture/Residential) with a proposed Industrial	AG (Agricultural)

45
46
47
48

Figure 1 – Location Map



Figure 2 – Parcel Map

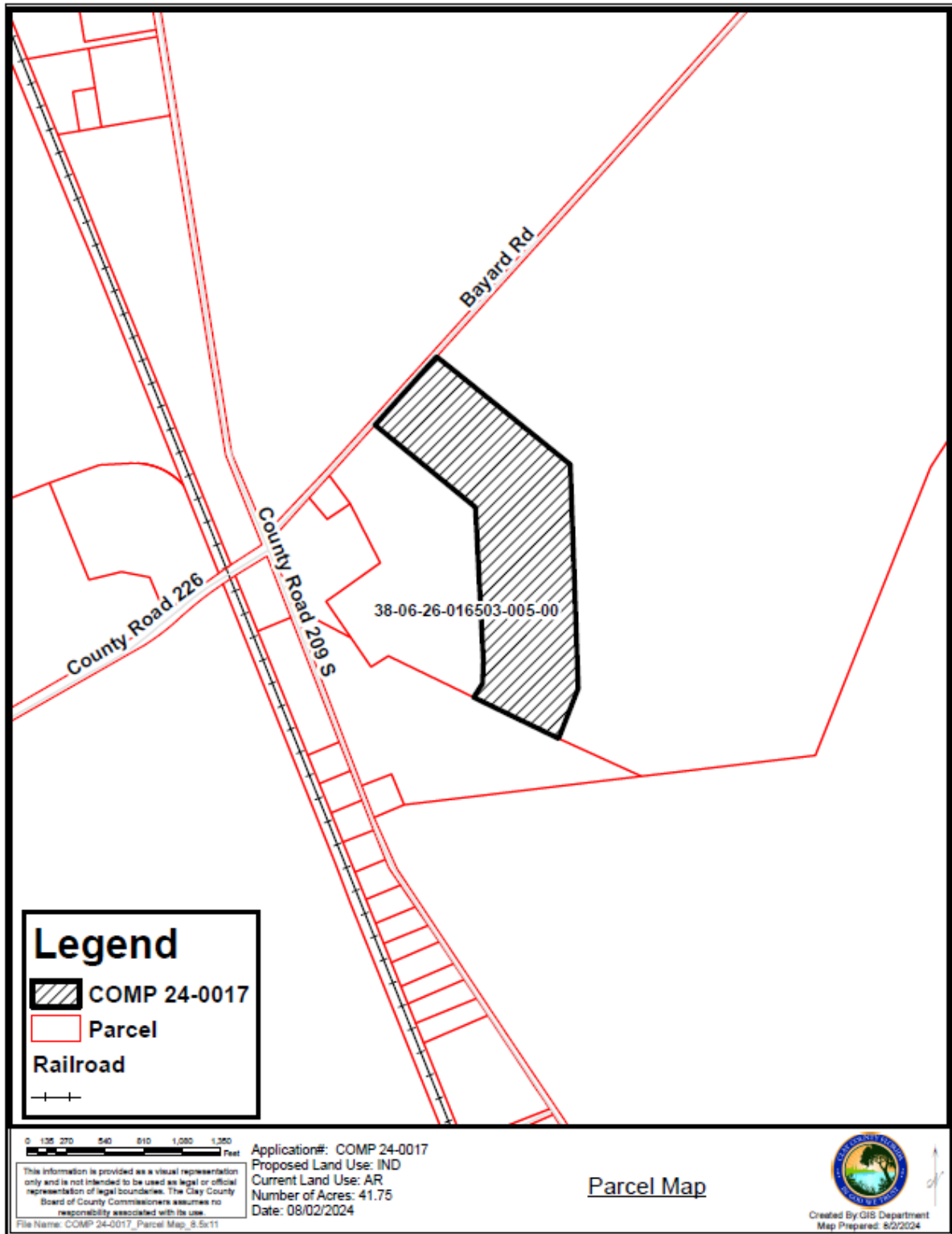


Figure 3 - Aerial Photo

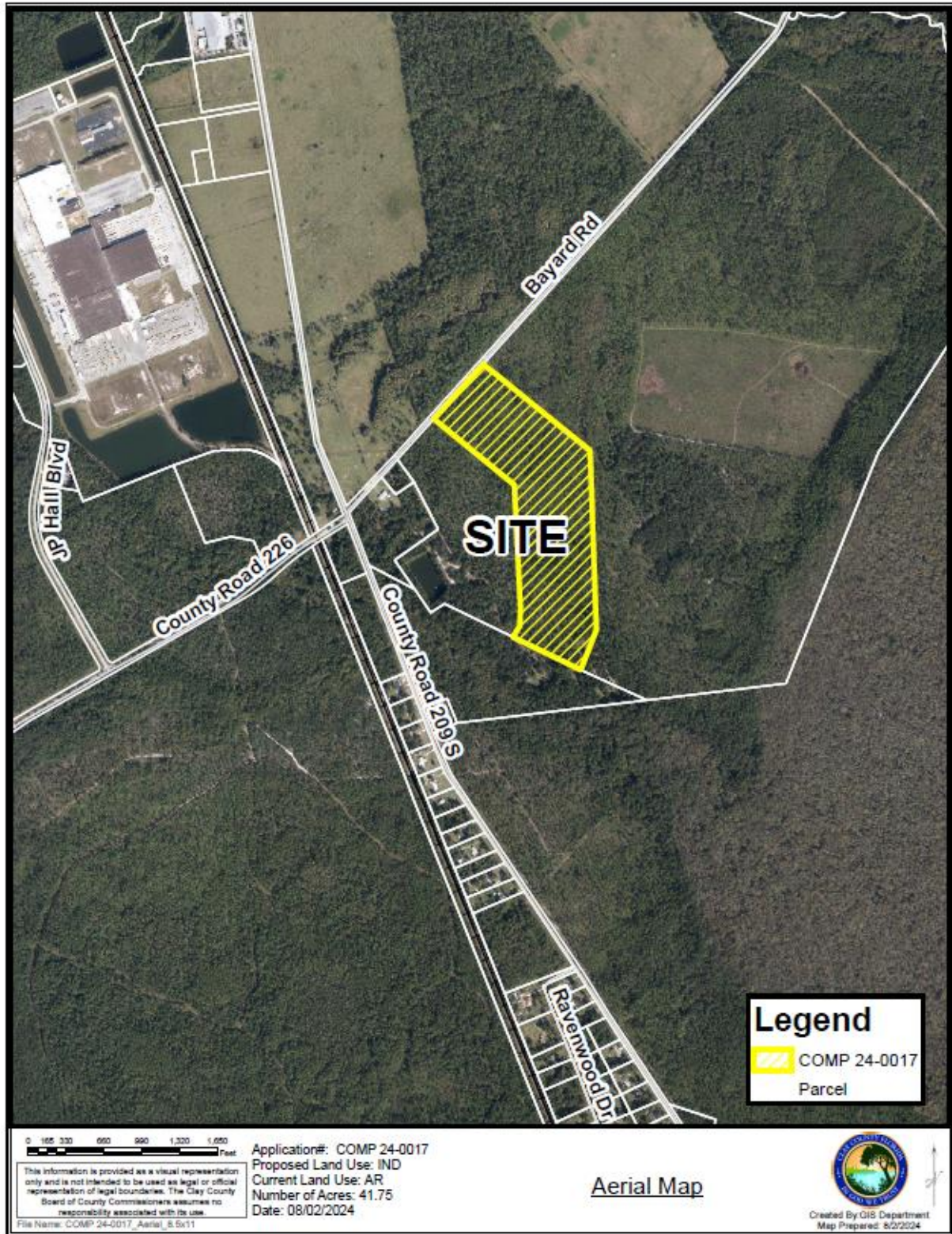


Figure 4 – Existing Future Land Use Designation Map

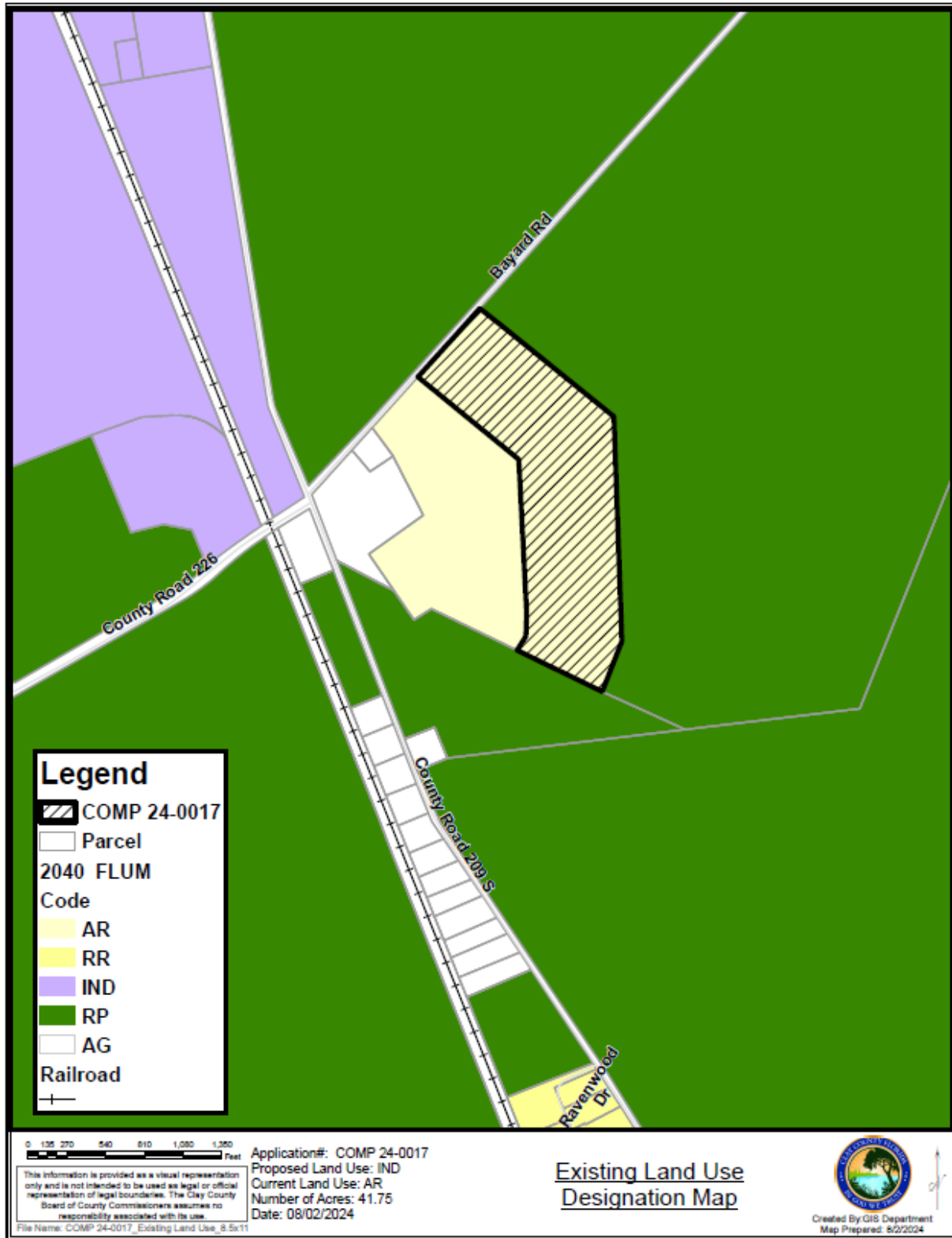


Figure 5 – Proposed Future Land Use Designation Map

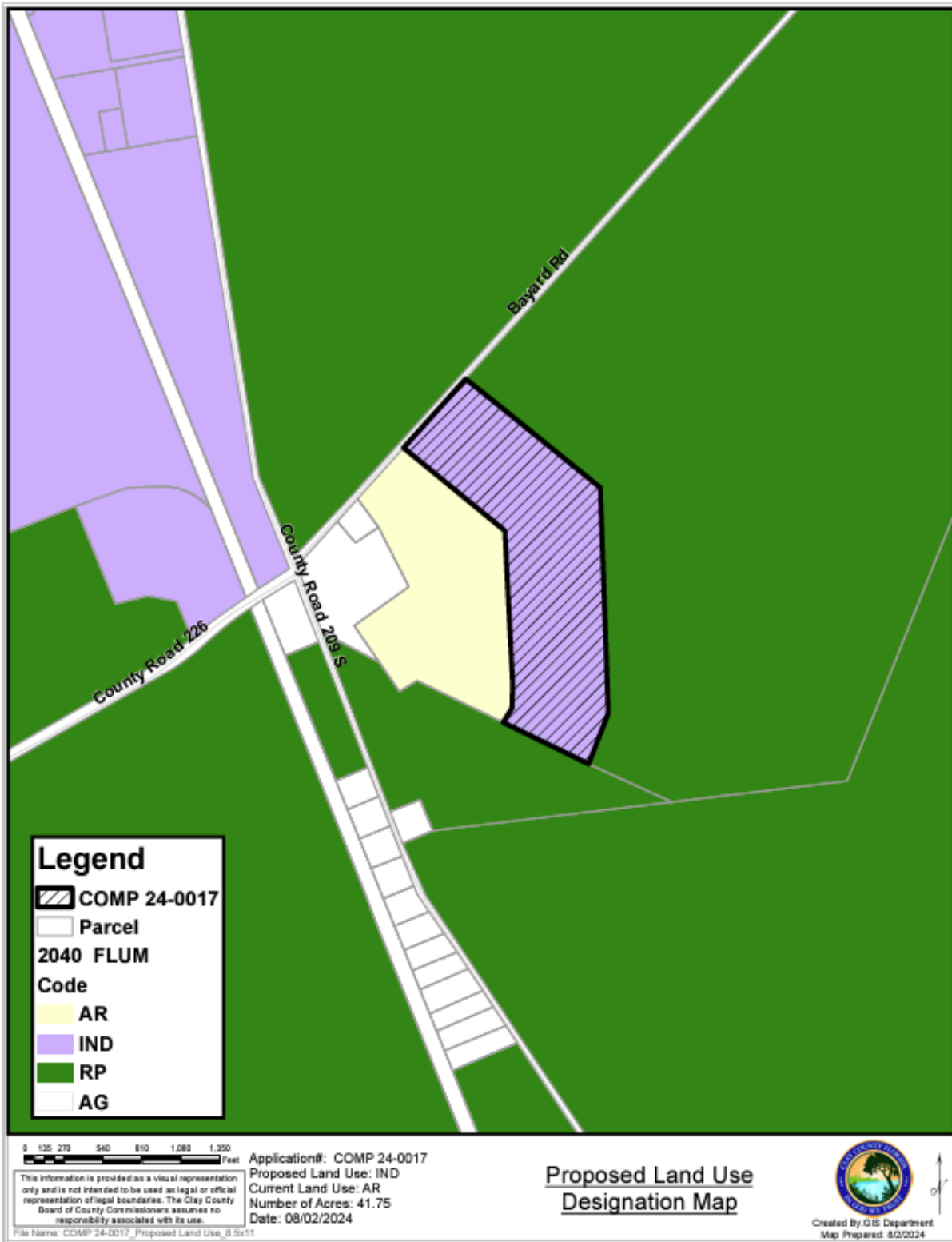
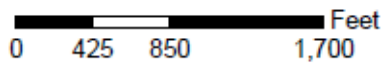
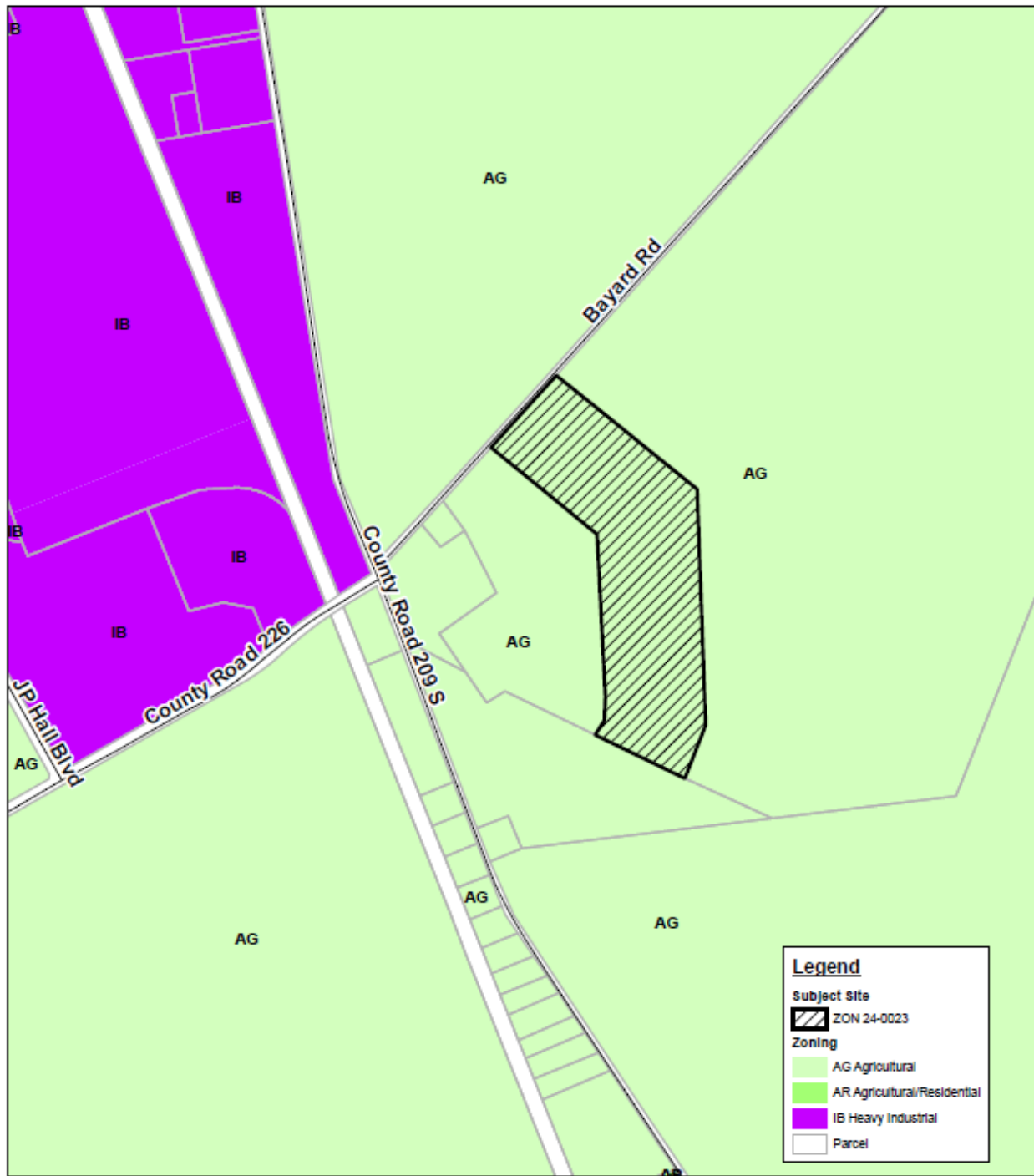


Figure 6 – Zoning Map



Existing Zoning
Proposed Rezoning: ZON 24-0023
From AG to IB



61 **Analysis of Propose Amendment**

62 **Availability of Services**

63 Traffic Facilities:

64 The County's Mobility Fee will apply to development of this property.

65 Schools:

66 There are no residential uses associated with this land use change.

67 Recreation:

68 There are no residential uses associated with this land use change, therefore no recreational uses are
69 required.

70 Water and Wastewater:

71 It appears that infrastructure is able to be provided by the CCUA just north of the site. The Applicant will
72 need to provide a will serve letter to the County prior to building permit issuance.

73 Stormwater/Drainage:

74 Stormwater management for any new construction will need to meet County and Water Management District
75 standards.

76 Solid Waste:

77 Clay County has existing solid waste capacity to service to the area.

78 **Land Suitability:**

79 Soils:

80 The soils on the site are adequate for development. See Figure 7.

81 Flood Plain:

82 The subject site contains a small area of flood zone "A" on the western boundary. The owner will either need
83 leave this portion undeveloped or meet the FEMA criteria for development. Development impacts within
84 any floodplain area on the subject parcel will be required to be mitigated. See Figure 8.

85 Topography:

86 The subject parcel is generally flat and drains from the east to west toward the floodplain. See Figure 9.

87 Regionally Significant Habitat:

88 There is a bald eagle nests to the northeast of the subject parcel. See Figure 10.

89 Historic Resources:

90 There are no historic resource structures on the subject parcel although historic structure locations have been
91 mapped to the east and west of the subject parcel. See Figure 11.

92 Compatibility with Military Installations:

93 The subject property is not located near Camp Blanding.

Figure 7 – Soil Map

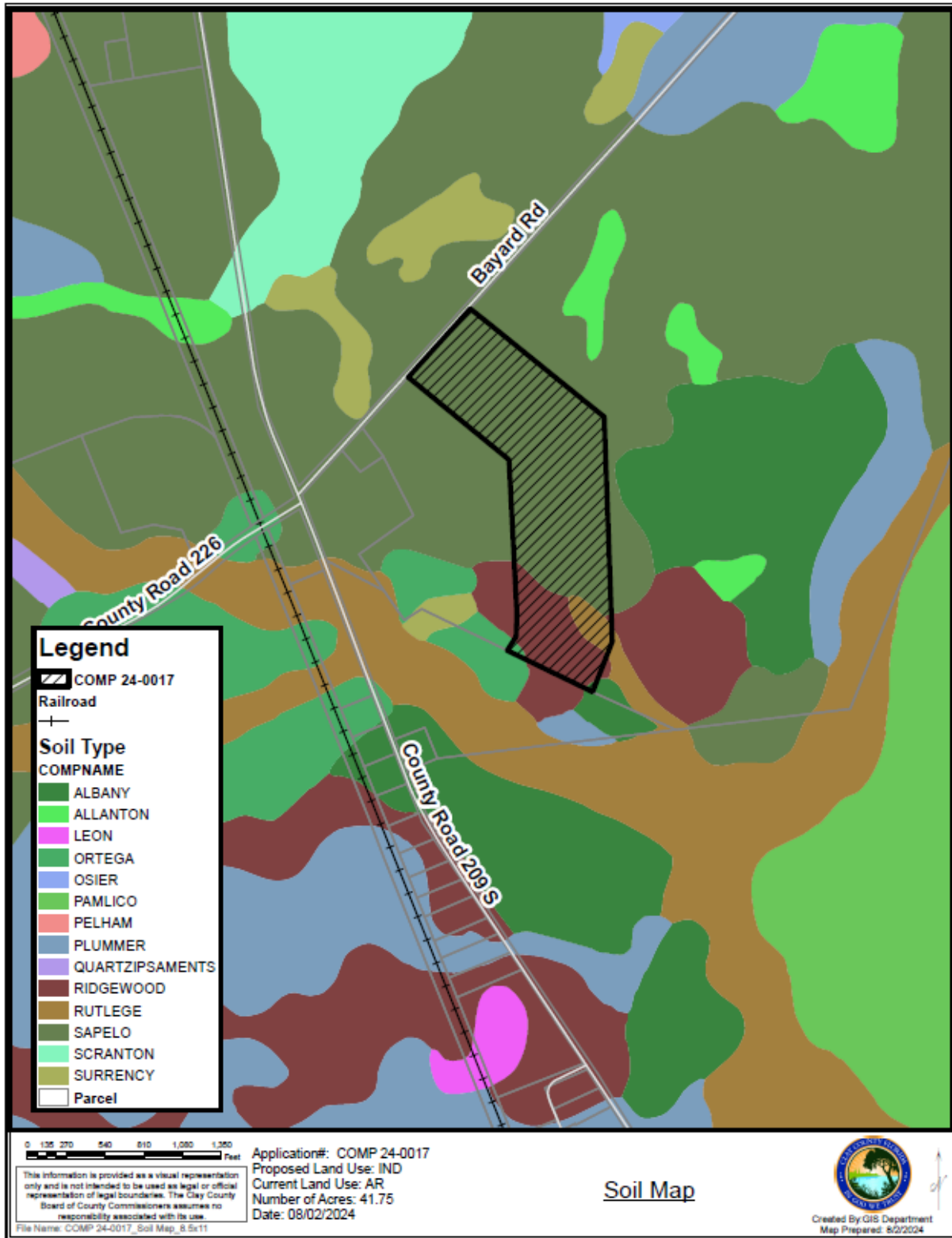


Figure 8 – Flood Zone Map

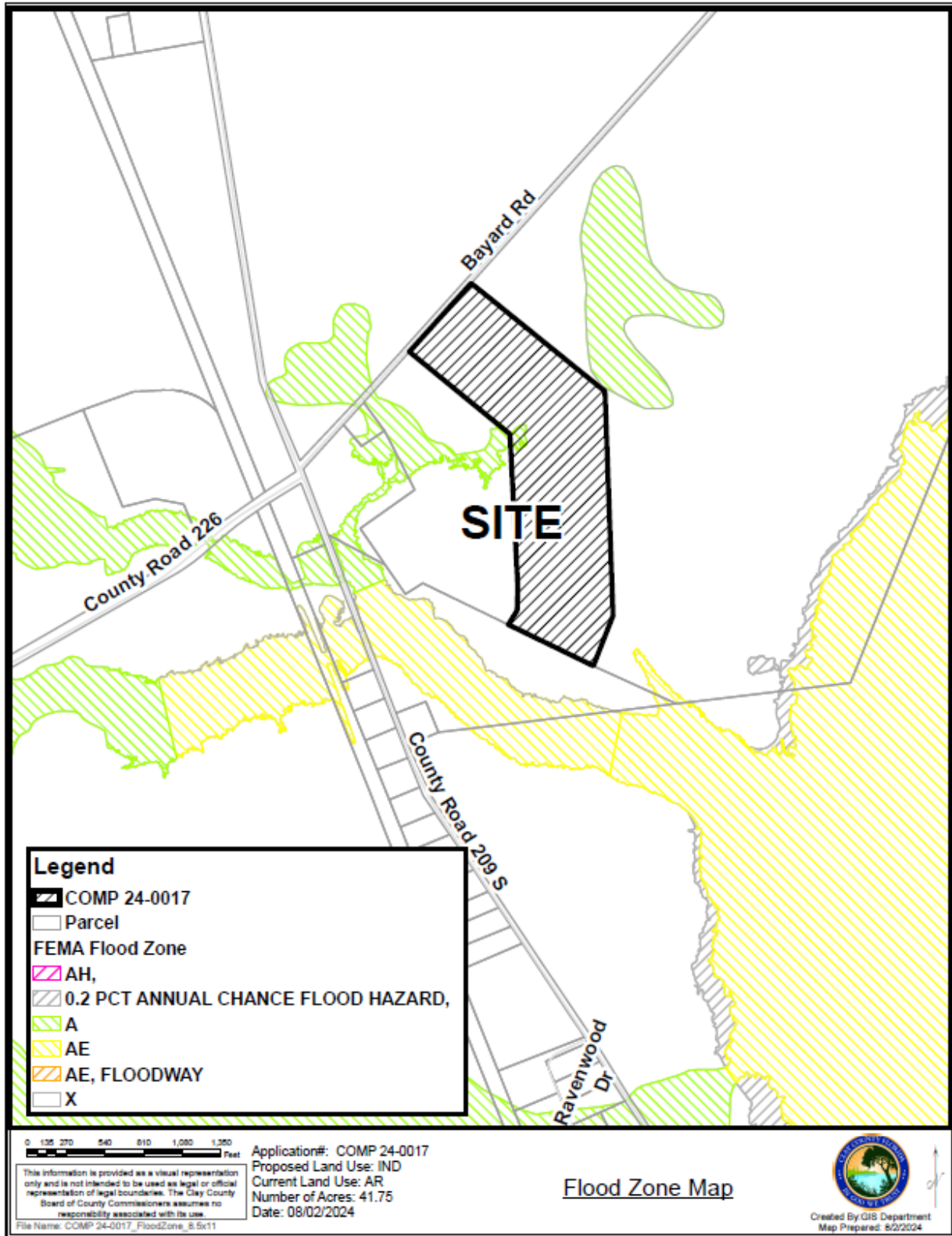


Figure 9 – Topography Map

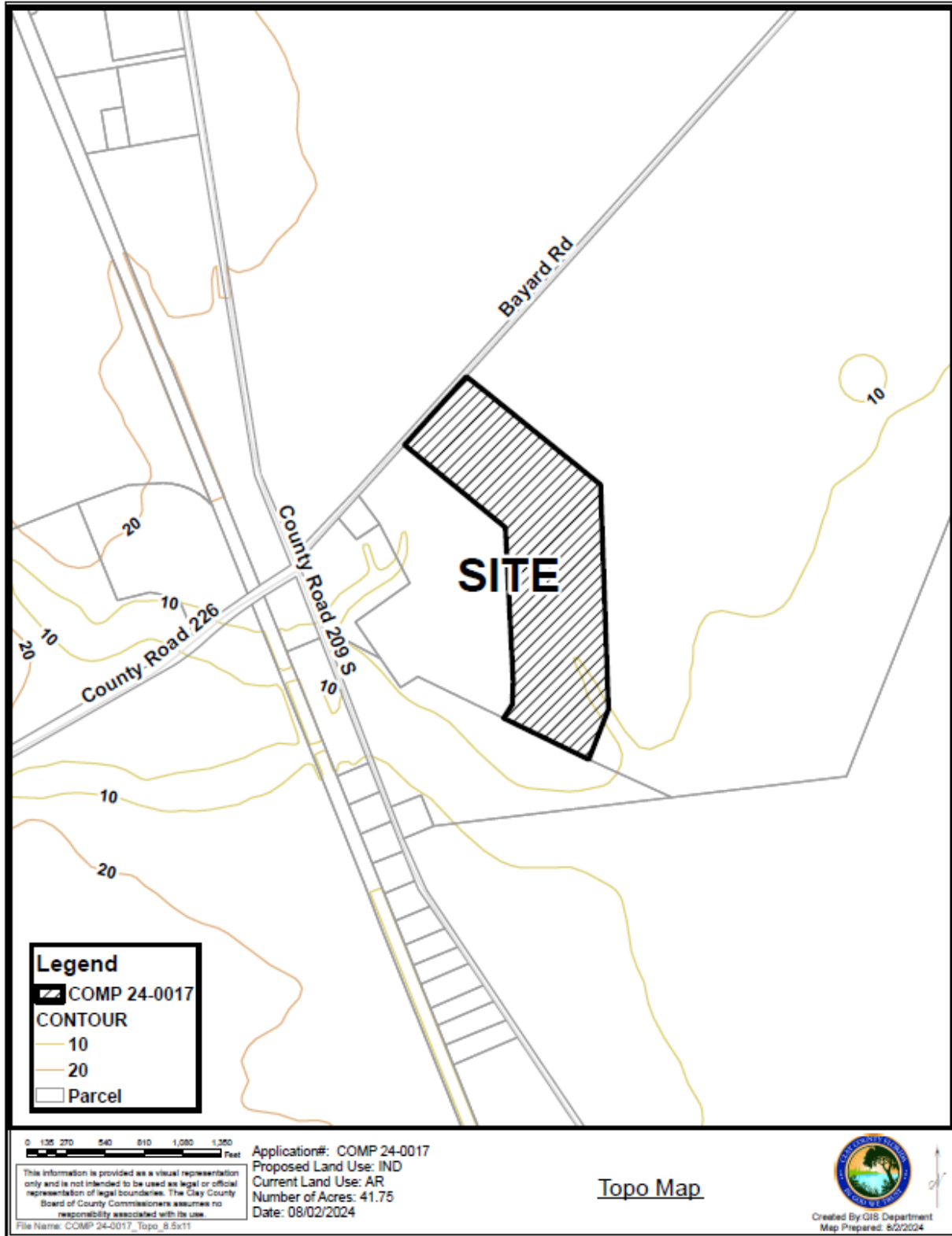


Figure 10 – Habitat Value Map

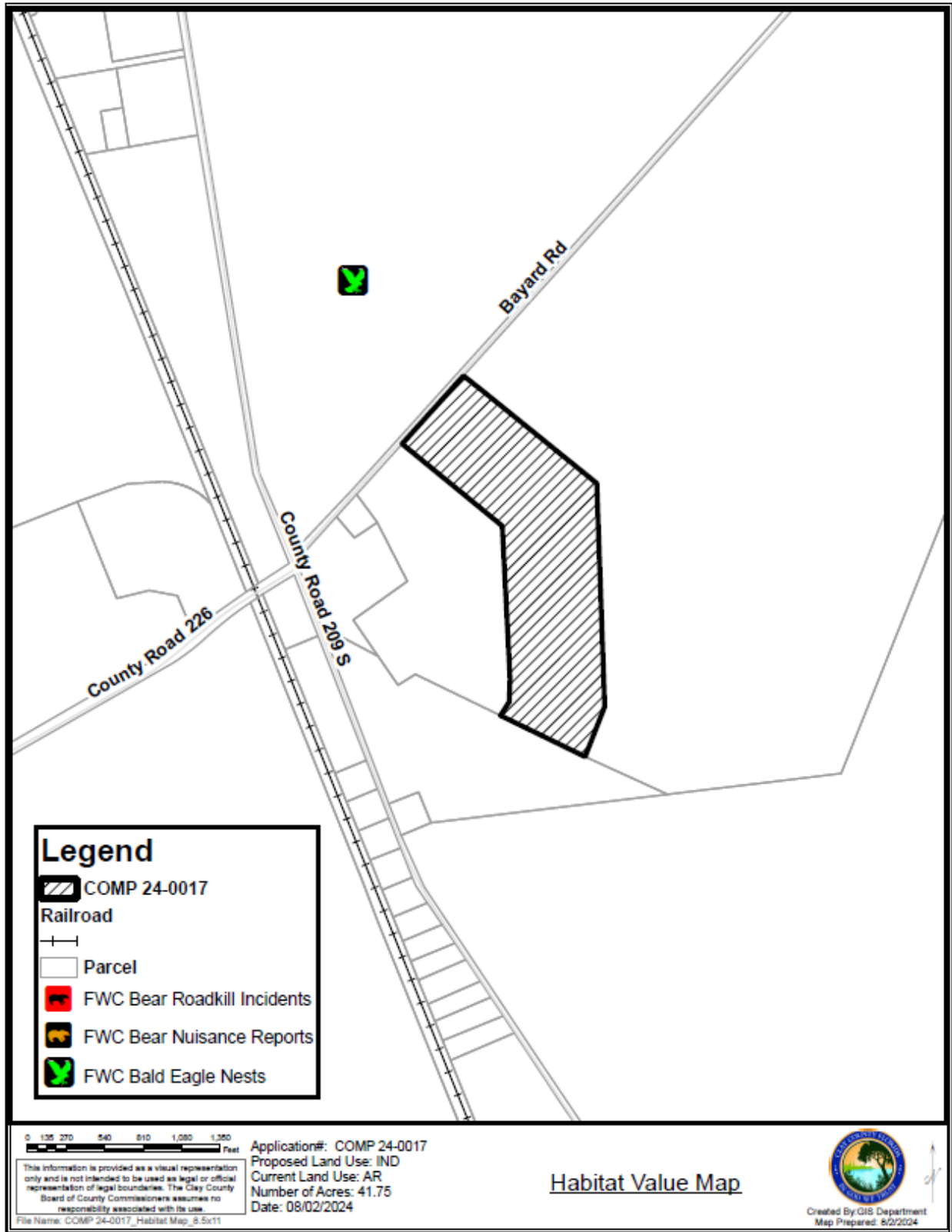
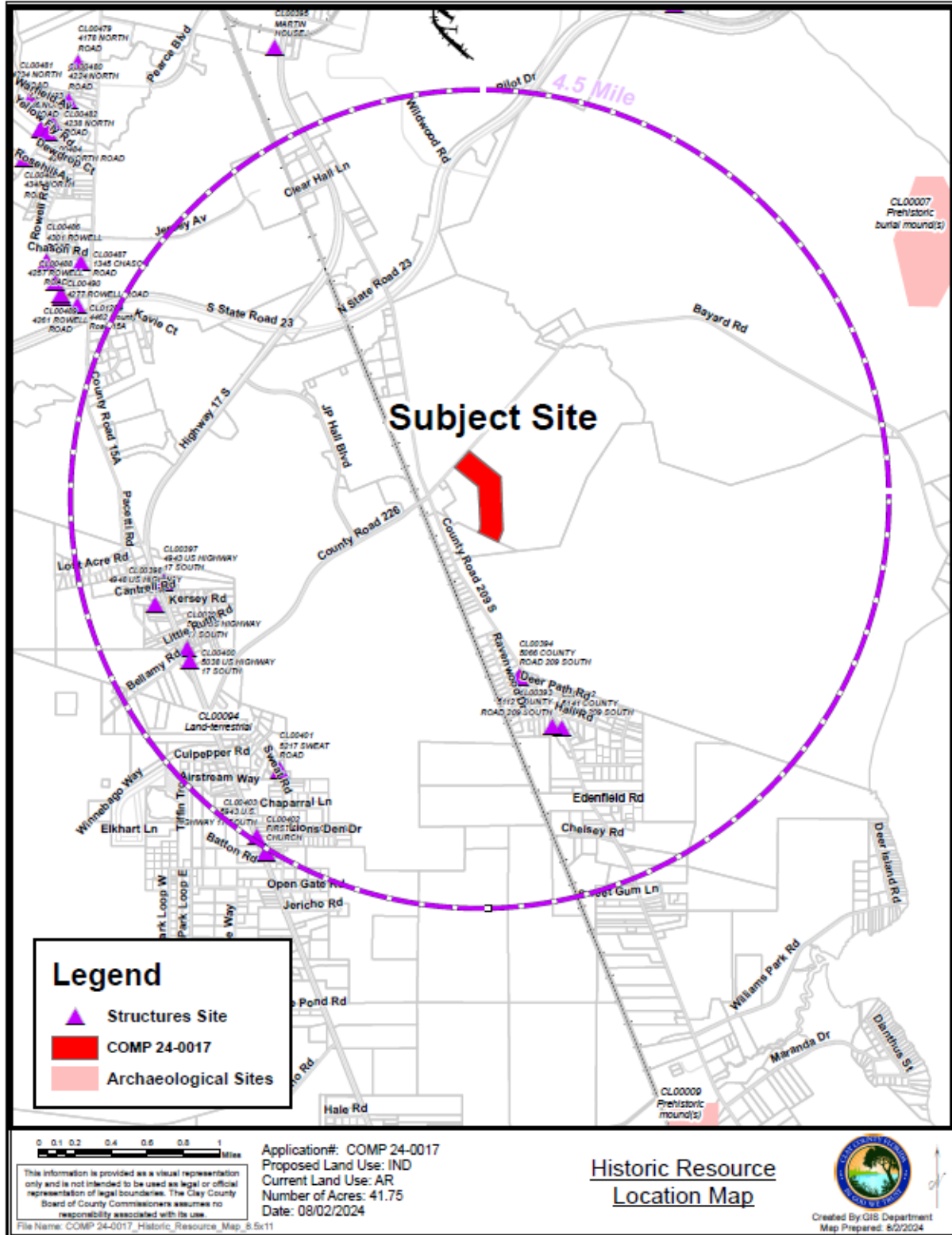


Figure 11 - Historical Resources



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

105 The following Goals/Objective/Policies relate to the proposed Comprehensive Plan Amendment:

106 The subject property currently has a land use designation of AR (Agricultural Residential) The following
107 Comprehensive Plan policy describes the AR designation and permitted development density.

108

109 **Flu Policy 1.4.1.2 (portion of)**

110

111 Agriculture/Residential – “AR” (Semi-Rural): This designation allows a final transition between
112 suburban residential densities and major agricultural and silvicultural activities. The very low density
113 of one dwelling unit per ten gross acres allows individual family agricultural operations. This
114 designation accommodates the existing rural pattern of residential use that has adequate access and
115 is suitable for continued low density development. Some locations in Agriculture /Residential may
116 qualify for a density of one unit per five gross acres if the requirements of tract size, clustering and
117 points in Future Land Use Objective 1.4 and its policies are met.

118

119 This application proposes to amend the land use of the subject property to Heavy Industrial IND land
120 use. The following Comprehensive Plan policy describes the IND land use designation and permitted
121 development density.

122 **Flu Policy 1.4.1.12 (portion of)**

123 Industrial – “IND”: This designation accommodates the full range of industrial activities. The
124 specific range and intensity for uses appropriate in a particular industrial area varies by location as a
125 function of the availability of public services and access, and compatibility with surrounding uses
126 shown on the Future Land Use Map. Through the zoning review process the use of particular sites
127 or areas may be limited to allowable uses specified and defined by the Land Development
128 Regulations.

129 The Comprehensive Plan goes on to say in the following policy the importance of strategically placing
130 land uses in proximity to the transportation investments, like the First Coast Expressway, that will ensure
131 economic activity as the industrial land uses.

132 **EDE POLICY 1.2.5** Clay County shall work with its partners to ensure the First Coast Expressway is
133 strategically incorporated into the County’s Future Land Use planning framework to ensure the
134 infrastructure investment is maximized to support long-term transportation and economic
135 development efforts.

136

137 Analysis Regarding Urban Sprawl

138 It is the intent of Clay County to discourage the proliferation of Urban Sprawl. As required by FS 163.3177,
139 all proposed comprehensive plan amendments will be determined to discourage urban sprawl if four or more
140 of the conditions are met.

141 (I) Directs or locates economic growth and associated land development to geographic areas of the
142 community in a manner that does not have an adverse impact on and protects natural resources and
143 ecosystems.

144 *The proposed amendment continues the pattern of Industrial Land Uses from the north and in essence*
145 *creates an edge to the use as the surrounding lands are in preservation.*

146 (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and
147 services.

148 *The proposed amendment will be able to capitalize on the infrastructure investment that has already been*
149 *made or will be in place in the near future, thereby reducing the need for additional systems.*

150 (III) Promotes walkable and connected communities and provides for compact development and a mix
151 of uses at densities and intensities that will support a range of housing choices and a multimodal
152 transportation system, including pedestrian, bicycle, and transit, if available.

153 *The proposed amendment creates a continuation of the industrial lands creating a cohesive Industrial*
154 *park concept, which allows for an additional economic generator for the County and an employment hub.*

155 (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime
156 farmlands and soils.

157 *The proposed amendment continues the pattern of Industrial Land Uses from the north and in essence*
158 *creates an edge to the use as the surrounding lands are in preservation.*

159 **Staff Finding: Based on the four criteria above the proposed amendment will not constitute sprawl.**

160 Summary

161 The proposed amendment would change the FLU of 41.75 acres from AR to IND.

162 Recommendation

163 Based on the above criteria, Staff recommends **Approval** of the small scale Comprehensive Plan
164 amendment COMP 24-0017.

165

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2040 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2018-31, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF A PORTION OF A SINGLE PARCEL (TAX PARCEL IDENTIFICATION # 38-06-26-016503-005-00), TOTALING APPROXIMATELY 41.75 ACRES, FROM AR (AGRICULTURAL) TO IND (INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, Application COMP 24-0017, submitted by Kelly Hartwig, requests an amendment to the Plan; and,

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

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

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

Section 2. The adopted Future Land Use Map of the Plan is hereby amended such that the Future Land Use designation for a portion of a single parcel of land (tax parcel identification # 38-06-26-016503-005-00 totaling approximately 41.75 acres, described in Exhibit “A-1”, and depicted in Exhibit “A-2” is hereby changed from AR (AGRICULTURAL/RESIDENTIAL) to IND (INDUSTRIAL).

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

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

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

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Jim Renninger, Its Chairman

ATTEST:

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

Exhibit "A-1"

EXHIBIT "A"

PARCEL 1 (BAYARD POINT – ALL OF TRUST PROPERTY):

A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-209); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 76 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 254.18 FEET; THENCE NORTH 65 DEGREES 07 MINUTES 58 SECONDS EAST 1514.19 FEET; THENCE SOUTH 26 DEGREES 25 MINUTES 13 SECONDS EAST 2125.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 26 DEGREES 25 MINUTES 13 SECONDS EAST 35.37 FEET; THENCE SOUTH 26 DEGREES 07 MINUTES 00 SECONDS EAST 132.25 FEET; THENCE SOUTH 54 DEGREES 34 MINUTES 42 SECONDS EAST 274.05 FEET; THENCE SOUTH 31 DEGREES 21 MINUTES 30 SECONDS EAST 401.97 FEET; THENCE SOUTH 66 DEGREES 32 MINUTES 20 SECONDS EAST 457.01 FEET; THENCE NORTH 37 DEGREES 08 MINUTES 47 SECONDS EAST 196.18 FEET; THENCE NORTH 18 DEGREES 59 MINUTES 12 SECONDS WEST, 250.32 FEET TO A POINT HEREINAFTER REFERRED TO AS REFERENCE POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING; THENCE SOUTH 68 DEGREES 48 MINUTES 20 SECONDS WEST 1647.44 FEET; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 979.19 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE EASTERLY AND HAVING A RADIUS OF 2000.00 FEET, RUN A CHORD DISTANCE OF 327.18 FEET, THE BEARING OF SAID CHORD BEING SOUTH 21 DEGREES 14 MINUTES 16 SECONDS EAST; THENCE NORTH 60 DEGREES 33 MINUTES 09 SECONDS EAST 1130.42 FEET; THENCE SOUTH 32 DEGREES 08 MINUTES 11 SECONDS EAST 705.43 FEET; THENCE SOUTH 70 DEGREES 47 MINUTES 39 SECONDS EAST 619 FEET, MORE OR LESS, TO THE WATERS OF THE ST. JOHNS RIVER; THENCE ALONG SAID WATERS IN A GENERAL NORTHEASTERLY AND NORTHWESTERLY DIRECTION 3844 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 38 DEGREES 23 MINUTES 53 SECONDS EAST 1188 FEET, MORE OR LESS, FROM THE AFORESAID REFERENCE POINT "A"; THENCE SOUTH 38 DEGREES 23 MINUTES 53 SECONDS WEST 1188 FEET, MORE OR LESS, TO SAID REFERENCE POINT "A" AND TO CLOSE.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PORTION OF SAID SECTION 47: COMMENCE AT THE AFORESAID REFERENCE POINT "A"; THENCE SOUTH 59 DEGREES 55 MINUTES 10 SECONDS EAST 619.36 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 32 DEGREES 40 MINUTES 57 SECONDS WEST 356.18 FEET; THENCE SOUTH 63 DEGREES 39 MINUTES 16 SECONDS WEST 332.58 FEET; THENCE SOUTH 35 DEGREES 29 MINUTES 09 SECONDS EAST 450 FEET, MORE OR LESS, TO THE WATERS OF THE ST. JOHNS RIVER; THENCE ALONG SAID WATERS IN A GENERAL NORTHEASTERLY AND NORTHWESTERLY DIRECTION 2172 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 46 DEGREES 14 MINUTES 33 SECONDS EAST 1075 FEET, MORE OR LESS, FROM THE POINT OF BEGINNING;

[LEGAL FOR DENA MAE PROPERTY]

Page 1 of 12

THENCE SOUTH 46 DEGREES 14 MINUTES 33 SECONDS WEST 1075 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO A 60 FOOT WIDE EASEMENT FOR INGRESS, EGRESS, DRAINAGE AND UTILITIES COVERING A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-209); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 76 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 164.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 77.40 FEET; THENCE SOUTH 46 DEGREES 48 MINUTES 34 SECONDS EAST 52.19 FEET; THENCE SOUTH 40 DEGREES 32 MINUTES 03 SECONDS EAST 239.99 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES 36 SECONDS EAST 688.34 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 910.00 FEET, RUN A CHORD DISTANCE OF 188.36 FEET, THE BEARING OF SAID CHORD BEING SOUTH 22 DEGREES 29 MINUTES 11 SECONDS EAST; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 1850.01 FEET; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 884.94 FEET, THE BEARING OF SAID CHORD BEING SOUTH 29 DEGREES 43 MINUTES 48 SECONDS EAST; THENCE SOUTH 42 DEGREES 54 MINUTES 50 SECONDS EAST 544.32 FEET; THENCE SOUTH 39 DEGREES 03 MINUTES 09 SECONDS WEST 60.59 FEET; THENCE NORTH 42 DEGREES 54 MINUTES 50 SECONDS WEST 552.79 FEET; THENCE NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2000.00 FEET, RUN A CHORD DISTANCE OF 912.31 FEET, THE BEARING OF SAID CHORD BEING NORTH 29 DEGREES 43 MINUTES 48 SECONDS WEST; THENCE NORTH 16 DEGREES 32 MINUTES 46 SECONDS WEST 1850.01 FEET; THENCE NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 850.00 FEET, RUN A CHORD DISTANCE OF 175.94 FEET, THE BEARING OF SAID CHORD BEING NORTH 22 DEGREES 29 MINUTES 11 SECONDS WEST; THENCE NORTH 28 DEGREES 25 MINUTES 36 SECONDS WEST 681.98 FEET; THENCE NORTH 40 DEGREES 32 MINUTES 03 SECONDS WEST 230.34 FEET TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH AND SUBJECT TO A 30 FOOT WIDE EASEMENT FOR INGRESS, EGRESS, AND UTILITIES COVERING A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-20S); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO

[LEGAL FOR DENA MAE PROPERTY]

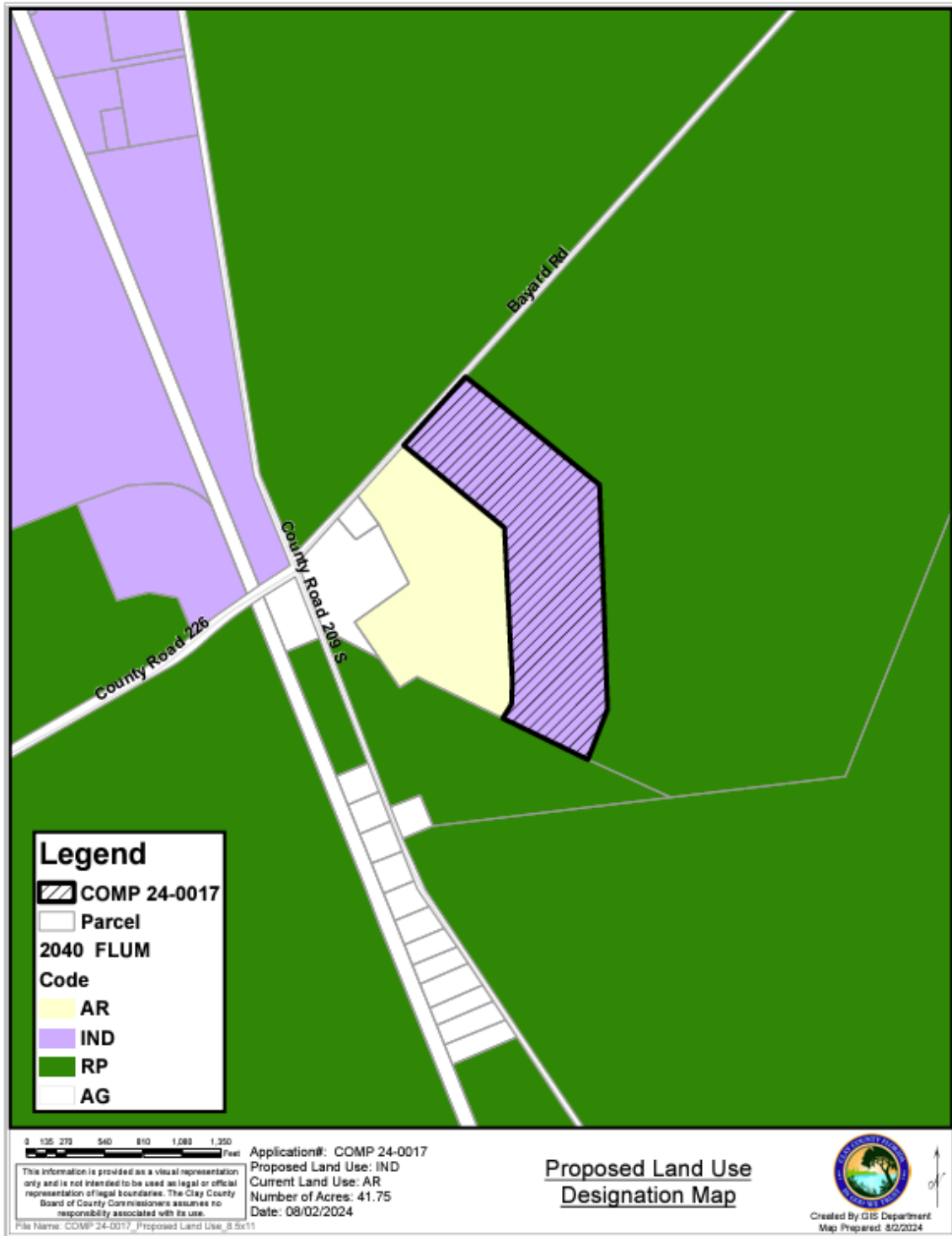
Page 2 of 12

COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 75 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 241.56 FEET; THENCE SOUTH 46 DEGREES 48 MINUTES 34 SECONDS EAST 52.19 FEET; THENCE SOUTH 40 DEGREES 32 MINUTES 03 SECONDS EAST 239.99 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES 36 SECONDS EAST 688.34 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 910.00 FEET, RUN A CHORD DISTANCE OF 188.36 FEET, THE BEARING OF SAID CHORD BEING SOUTH 22 DEGREES 29 MINUTES 11 SECONDS EAST; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 1850.01 FEET; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 758.71 FEET TO THE POINT OF BEGINNING, THE BEARING OF SAID CHORD BEING SOUTH 27 DEGREES 49 MINUTES 21 SECONDS EAST; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 30.19 FEET, THE BEARING OF SAID CHORD BEING SOUTH 39 DEGREES 32 MINUTES 42 SECONDS EAST THENCE NORTH 56 DEGREES 51 MINUTES 35 SECONDS EAST 165.41 FEET THENCE NORTH 60 DEGREES 08 MINUTES 46 SECONDS EAST 292.10 FEET THENCE NORTH 71 DEGREES 10 MINUTES 56 SECONDS EAST 156.49 FEET THENCE NORTH 79 DEGREES 33 MINUTES 13 SECONDS EAST 344.51 FEET THENCE NORTH 62 DEGREES 37 MINUTES 27 SECONDS EAST 66.78 FEET THENCE NORTH 33 DEGREES 19 MINUTES 41 SECONDS EAST 90.36 FEET THENCE NORTH 45 DEGREES 07 MINUTES 52 SECONDS EAST 76.21 FEET THENCE NORTH 50 DEGREES 52 MINUTES 13 SECONDS EAST 448.97 FEET THENCE NORTH 63 DEGREES 39 MINUTES 16 SECONDS EAST 828.69 FEET THENCE NORTH 32 DEGREES 40 MINUTES 57 SECONDS EAST 356.18 FEET THENCE NORTH 57 DEGREES 19 MINUTES 03 SECONDS WEST 30.00 FEET THENCE SOUTH 32 DEGREES 40 MINUTES 57 SECONDS WEST 347.87 FEET THENCE SOUTH 63 DEGREES 39 MINUTES 16 SECONDS WEST 823.74 FEET THENCE SOUTH 50 DEGREES 52 MINUTES 13 SECONDS WEST 453.83 FEET THENCE SOUTH 45 DEGREES 07 MINUTES 52 SECONDS WEST 80.81 FEET THENCE SOUTH 33 DEGREES 19 MINUTES 41 SECONDS WEST 85.62 FEET THENCE SOUTH 62 DEGREES 37 MINUTES 27 SECONDS WEST 54.47 FEET THENCE SOUTH 79 DEGREES 33 MINUTES 13 SECONDS WEST 342.24 FEET THENCE SOUTH 71 DEGREES 10 MINUTES 56 SECONDS WEST 161.59 FEET THENCE SOUTH 60 DEGREES 08 MINUTES 46 SECONDS WEST 295.86 FEET THENCE SOUTH 56 DEGREES 51 MINUTES 35 SECONDS WEST 169.64 FEET TO THE POINT OF BEGINNING.

[LEGAL FOR DENA MAE PROPERTY]

Page 3 of 12

Exhibit "A-2"



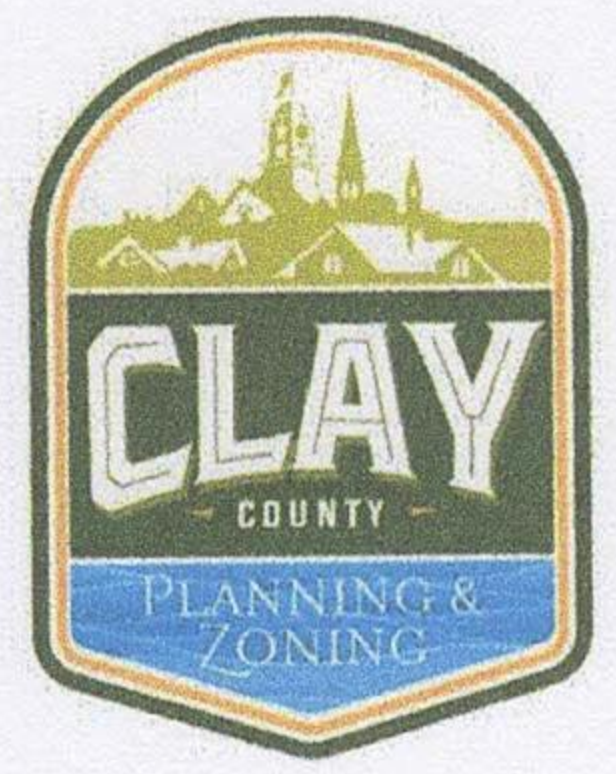


**Department of Economic and Development Services
Planning & Zoning Division**

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

Phone: (904) 284-6300

www.claycountygov.com



Pre-Application Meeting Date:		CAC Meeting Date (if applicable):
Date Rec:	Received By:	IMS #:

Amendment to the Comprehensive Plan Application

Owner's Name: The Lemen Family Declaration of Revocable Trust		If the property is under more than one ownership please use multiple sheets.
Owner's Address: 3957 Susan Dr		
City: Green Cove Springs	State: FL	Zip Code: 32043
Phone: 904-759-9576	Email: siteopt@bellsouth.net	

Parcel Information

Parcel Identification Number Including Section, Township and Range: 38-06-26-016503-005-00		
Address: Bayard Road		
City: Green Cove Springs	State: FL	Zip Code: 32043
Current Land Use: AR	Proposed Land Use: IND	
Total Acreage: 41.75	Adjacent Land Use North: AG	
Adjacent Land Use South: AG	Adjacent Land Use East: AR	
Adjacent Land Use West: AG		

Required Attachments

Agents Authorization Attachment A-1
 Owner's Affidavit Attachment A-2
 Legal Description Attachment A-3
 Aerial Photograph (folded to 8 1/2" x 11")
 Property Deed(s)
 Survey

Statement of Purpose, Scope and Justification (at a minimum) statements and supporting material of the following:

- Proposed Density and/or Intensity of Use
- Urban Sprawl
- Site Suitability
- Recreation Impacts and Improvements**
- Traffic Impacts and Improvements**
- Stormwater / Drainage Impacts and Improvements**
- Solid Waste Impacts and Improvements**
- Water and Wastewater Impacts and Improvements**

**Please include description of improvements necessary to accommodate the proposed changes, as well as supporting data and proposed funding sources.

Fees: Large Scale Amendment: \$2500.00 + \$5.00 per acre or fraction thereof
 Text Amendment: \$2,500.00
 Small Scale Amendment \$1,500.00

Notices

The required SIGN(S) must be POSTED on the property BY THE APPLICANT 15 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 ten (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 10 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 (3) minutes.

If you decide to appeal any decision made by the Board of County Commissioners with respect to any matter considered at your comprehensive plan amendment 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 comprehensive plan amendment 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.

Owner(s) / Authorized Agent Signature

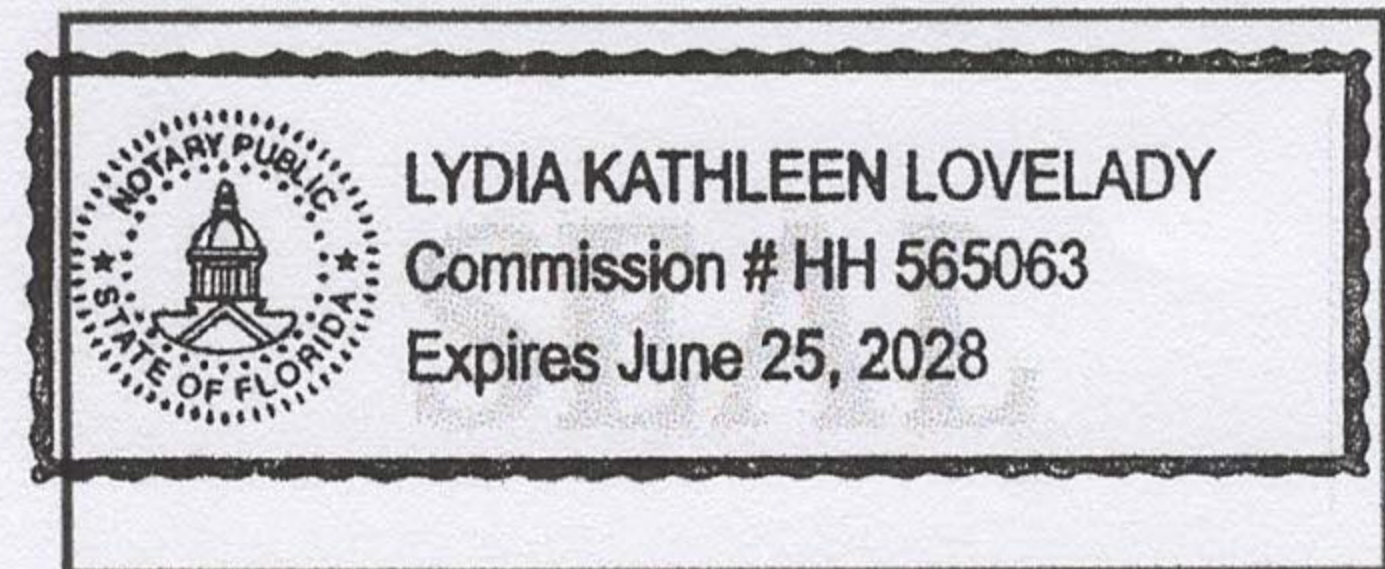
[Handwritten Signature]

Owner(s) / Authorized Agent Signature

State of Florida
County of Clay

The foregoing affidavit was sworn and subscribed before me this 31st day of July
(month), 2024 (year) by Kelly Hartwig, who is personally known to me
or has produced FLDL as identification.

[Handwritten Signature]
Notary Signature



Clay County Comprehensive Plan Amendment Agent Authorization Affidavit – Attachment A-1

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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. As the Owner, I hereby authorize and empower

whose address is:

Kelly Horning
P.O. Box 8880, Fleming Is, Fl. 32086

Phone: 904-759-9576

Email: Siteopt@bellusa5th.net

to act as agent for a comprehensive plan amendment for the property located at (address or Parcel ID):

38-06-26-016503-000-00

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

Owner's Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Susan Lemen Williams

7/31/24

Signature of Owner:

Date:

Susan Lemen Williams

Printed Name of Owner:

Sworn to and subscribed before me this 31st day of July A.D. 20 24

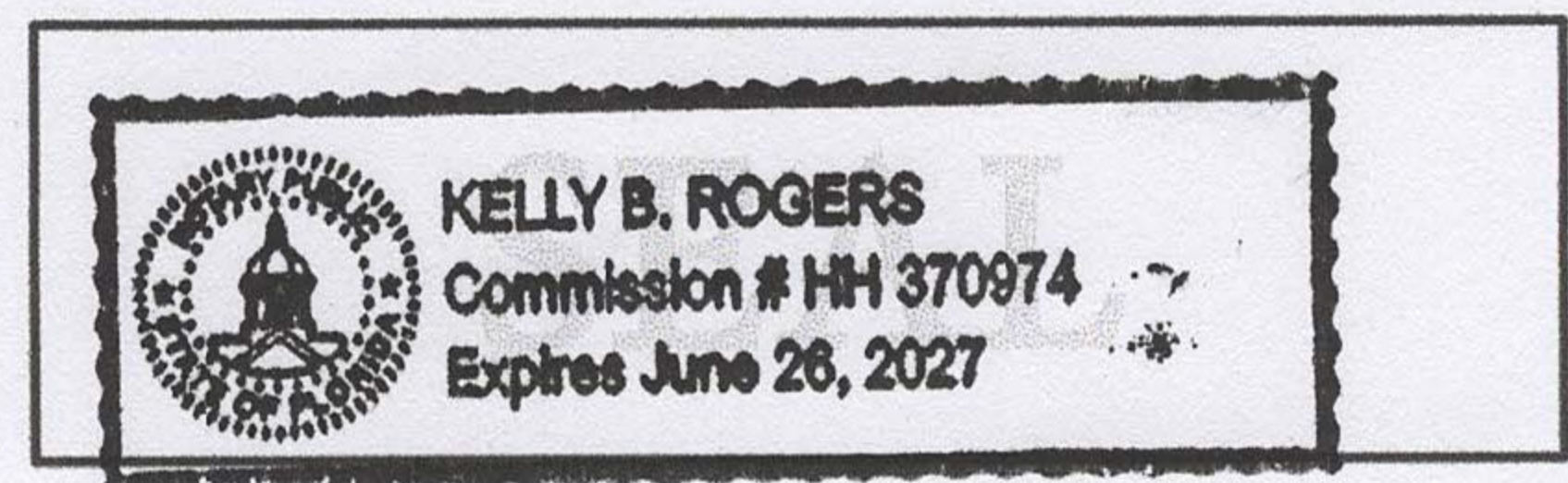
Personally known or produced identification.

Type of identification produced _____ and number (#): _____

Kelly B Rogers *7/31/2024*

Signature of Notary

Date:



Clay County Comprehensive Plan Amendment Property Ownership Affidavit - Attachment A-2

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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 comprehensive plan amendment.

Owner's Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Susan Lemen Williams 7/31/24

Signature of Owner:

Date:

Susan Lemen Williams

Printed Name of Owner:

Sworn to and subscribed before me this 31st day of July A.D. 20 24

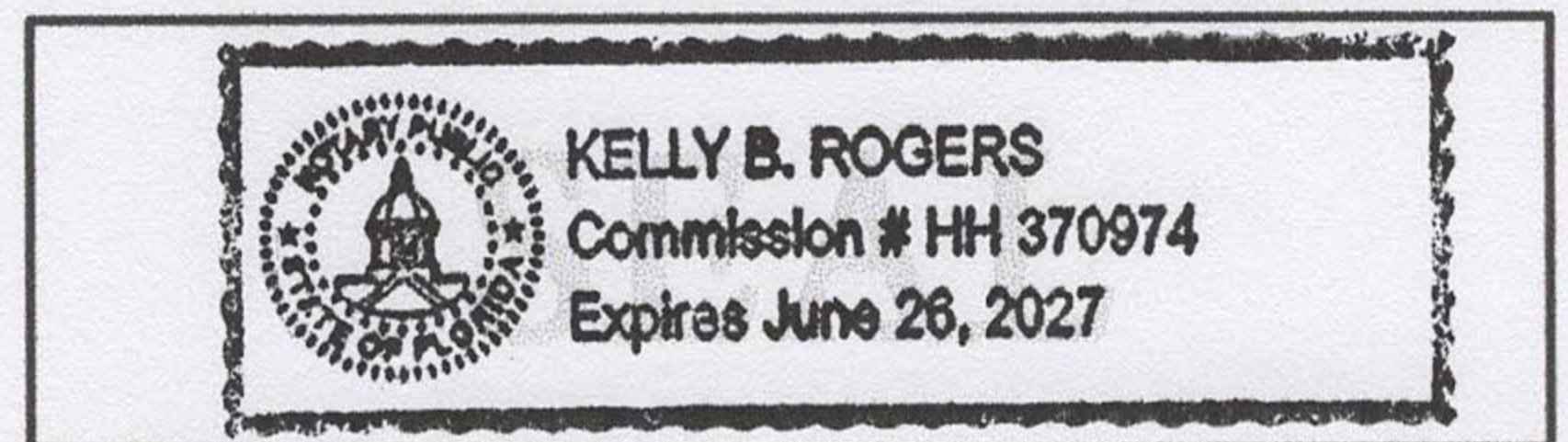
Personally known or produced identification.

Type of identification produced _____ and number (#): _____

Kelly B. Rogers 7/31/24

Signature of Notary

Date:





1 **BRezoning Application ZON-24-0023**
2 **Staff Report**

3
4 **Copies of the application are available at the Clay County**
5 **Administration Office, 3rd floor, located at 477 Houston Street Green Cove Springs, FL 32043**
6

7 **Owner Information**

Owner: The Lemen Family Declaration of Revocable Trust	Address: 3957 Susan Drive, Green Cove Springs, FL 32043
Agent: Kelly Hartwig	PO Box 8880, Fleming Island, FL 32006
Parcel #: 39-06-26-016503-005-00	

8
9 **Property Information (all parcels)**

Current Zoning: AG (Agricultural)	Land Use: AR (Agricultural/Residential)
Zoning Proposed: IB (Heavy Industrial)	Total Acres: 41.75
Commission District: 5 (Commissioner Burke)	Planning District: Springs

10
11
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13
14
15 **Background**

16
17 A request to rezone and amend the Zoning Atlas for approximately 42 acres MOL that is currently
18 within the AG (Agricultural) zoning district. The property is currently vacant. The land adjacent
19 to the west is another parcel that is owned by the Applicant that is also pursuing the same request
20 for re-zoning. The parcels to the north and east and south of the subject property, have a Future
21 Land Use of Recreation/Preservation and are owned by the St John’s River Water Management
22 District. These parcels, as outlined in the Clay County Comprehensive Plan are generally owned
23 by public or quasi-public entities. The lands are held for use as non-profit public recreation and
24 open space amenities, and include natural resource land management activities and associated
25 uses. Those owned and maintained by public agencies and open to the public comprise the
26 inventory of regional park facilities in Clay County”, and therefore have limited ability to develop.
27 The subject property would then be a “hard stop” for industrial land changes. The parcels to the
28 west and northeast are requesting or are currently within the Industrial land use and the Heavy
29 Industrial zoning categories. The property is in close proximity to the active CSX railroad line
30 and the proposed First Coast Expressway. As the transportation investments that support a heavy
31 industrial use are in place, or will be within the short term, the expansion of the Industrial district
32 is an appropriate change. The requested change is supported by the Clay County 2040
33 Comprehensive Plan through objective EDE 1.2 which states:

34
35 EDE OBJ 1.2 Clay County shall ensure an adequate supply of land uses that support a viable
36 economy and allow for employment generation such as office and industrial uses
37 on the Future Land Use Map (FLUM).
38

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EDE POLICY 1.2.1 Clay County shall prioritize the land use planning of sites meeting the locational requirements of identified targeted/key industries and basic industries uses in appropriate and compatible locations and recognize this priority during the review of plan amendments, rezoning requests, site plan approvals and permitting processes.

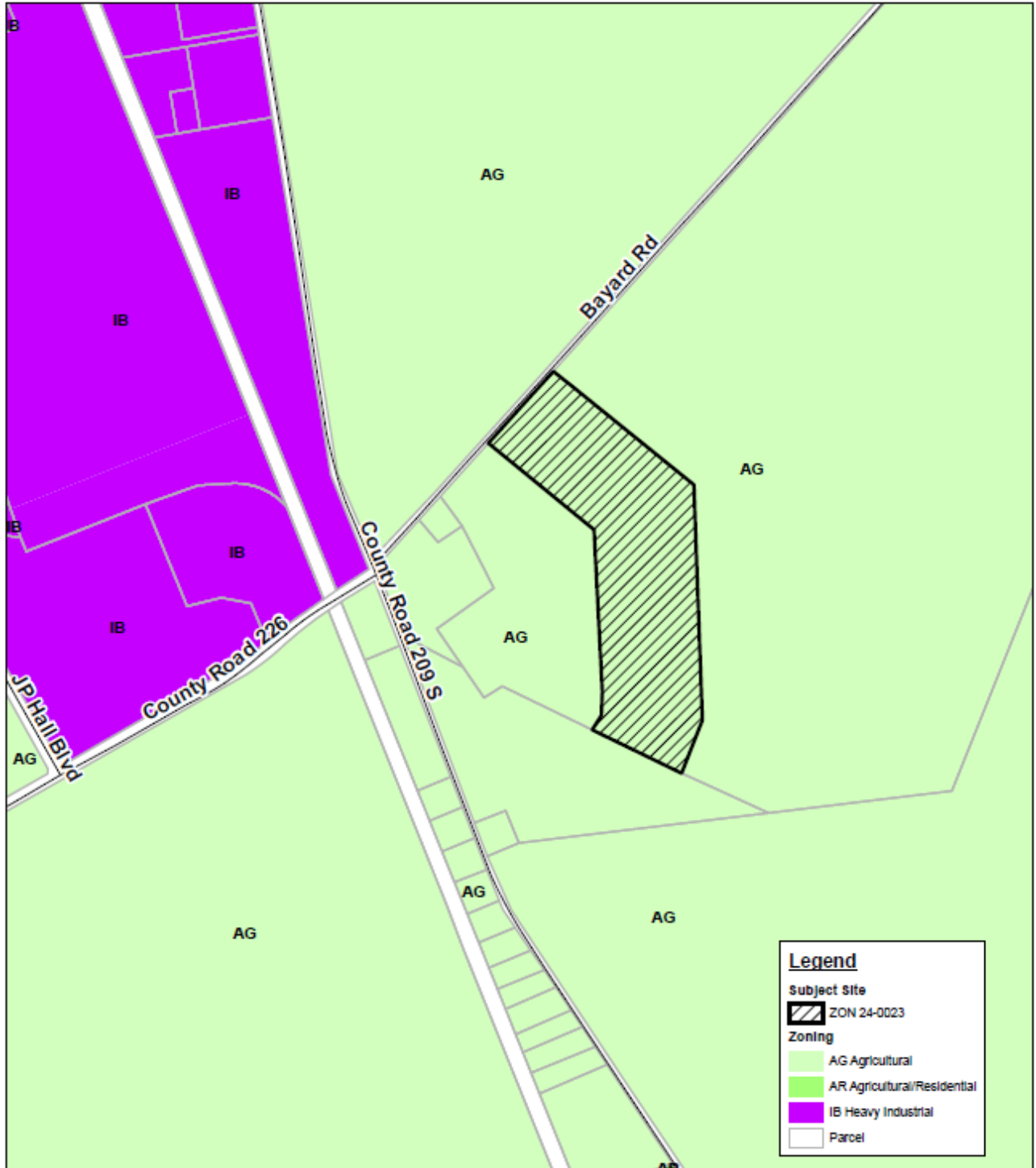
The Applicant does not currently have an end user for the land, but is setting the table for a future heavy industrial user as the County Comprehensive Plan calls for.

The zoning and future land use of the parcels surrounding the subject parcel is provided in the table below and in Figure 1 & 2, and are primarily agriculture to the east and industrial to the north. Existing uses in the area are primarily conservation and industrial.

	ZONING	FUTURE LAND USE
North	AG (Agriculture)	RP (Recreation/Preservation)
East	AG (Agriculture)	RP (Recreation/Preservation)
West	IB Industrial (Proposed under ZON 24-0024)	Industrial (Proposed under Comp24—0018)
South (Across SR 16)	AG (Agriculture)	RP (Recreation/Preservation)

53
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Figure 1 Existing Area Zoning

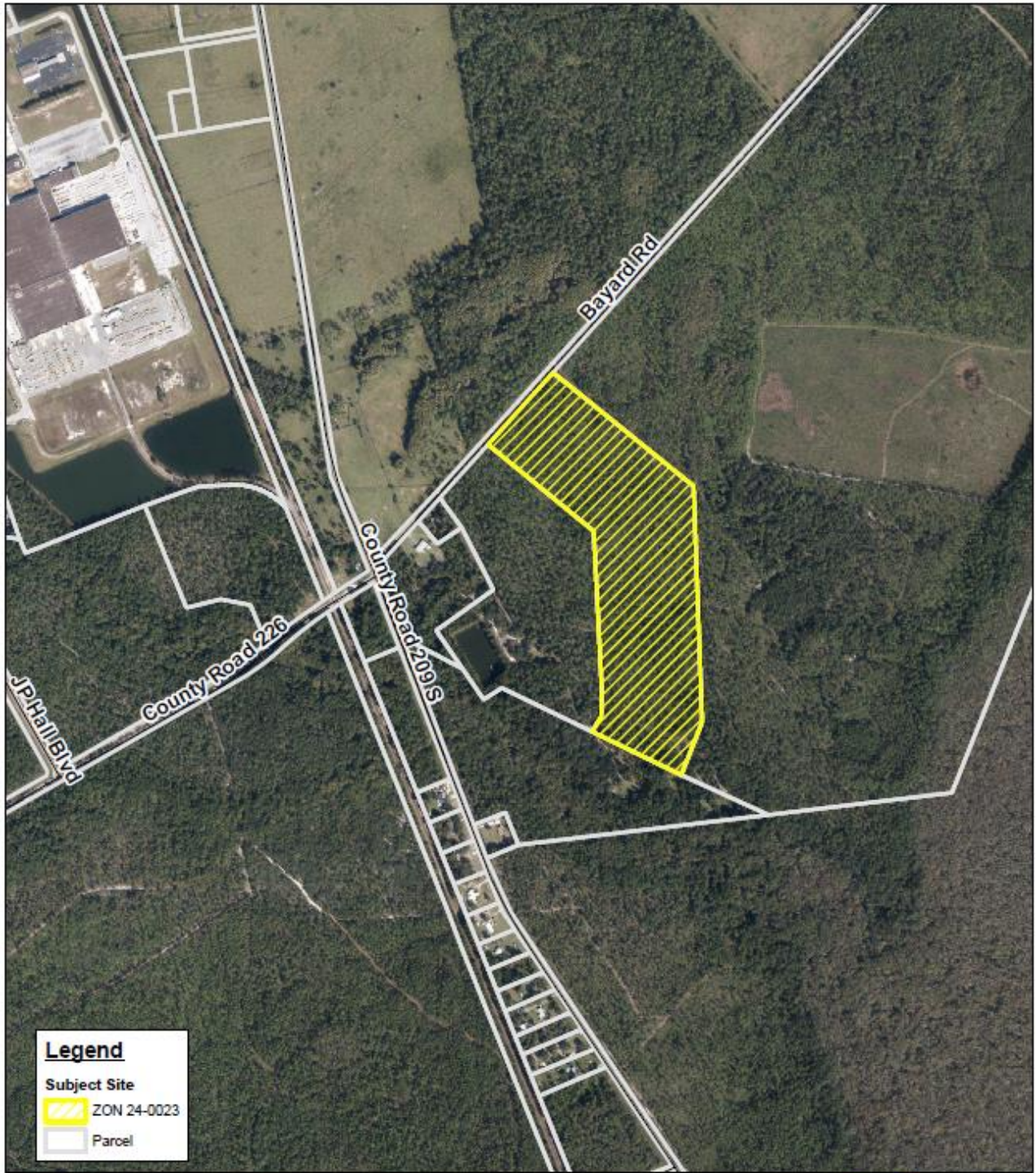


0 425 850 1,700 Feet

Existing Zoning
Proposed Rezoning: ZON 24-0023
From AG to IB



60 Figure 2 Aerial of Site



0 425 850 1,700 Feet

Aerial Map
Proposed Rezoning: ZON 24-0023
From AG to IB



61

62 **Proposed IB Zoning District**

63 **Sec. 3-30. Heavy Industrial District (Zone IB)**

64
65 (a) *Intent.* All land designated as Zone IB is subject to the requirements of this Section as well
66 as the appropriate density and intensity in Sec. 20.3-10. Such areas are established in order
67 to provide adequate areas for activities of a heavy industrial nature. A site plan conforming
68 to the requirements of this chapter shall be submitted to the Planning and Zoning
69 Department for administrative review and approval prior to obtaining a building permit for
70 all uses within this District.

- 71
72 (b) *Uses Permitted.*
- 73 1. Any uses permitted in the Light Industrial District (Zone IA) and Industrial Select District
74 (Zone IS).
 - 75 2. Airports, landing strips, and heliports. The development and operation of these facilities
76 shall conform to all rules and regulations of all governmental agencies having appropriate
77 jurisdiction and to the performance standards of this Article.
 - 78 3. Accessory uses such as dining and recreation facilities as convenience to occupants thereof
79 and their customers and employees, and business offices accessory to the primary industrial
80 use.
 - 81 4. Communication Antennas and Communication Towers, including accessory buildings,
82 tower support and peripheral anchors as governed by the provisions of Section 20.3-46 of
83 the Clay County Land Development Code. (Amended 11/26/96 - Ord. 96-58).
 - 84 5. Any manufacturing, recycling, distribution, warehousing, or associated uses not in conflict
85 with ordinances dealing with incinerators and toxic or hazardous waste.
 - 86 6. Medical Transport.

87
88 (c) *Conditional Uses.* The following uses are permitted in the IB zoning district subject to the
89 conditions provided in Section 20.3-5.

- 90
91 (1) Public assembly.
92 (2) Rock crushing; rock or sand storage yards; and stone cutting.
93 (3) Residential dwelling.
94 (4) Public and/or private sewer facilities.
95 (5) Land Clearing Debris Off-Site Disposal Facility
96 (6) Recreational Vehicle and Boat Storage

97
98
99 (d) *Uses Not Permitted.*

- 100
101 (1) Any use not allowed in (b) or (c) above.

102
103 (e) *Lighting Adjacent to Residential Districts.* Artificial lighting used to illuminate the
104 premises and/or advertising copy shall be directed away from adjacent residential or
105 agricultural districts.

106

- 107 (f) *Density Requirements.* The maximum density for development on land with the IB zoning
 108 classification shall correspond to a floor area ratio (FAR) of fifty (50) percent
 109 Agricultural/Residential.
 110
- 111 (g) Lot and Building Requirements. The principal building(s), accessory structures and other
 112 uses shall be located so as to comply with the following minimum requirements.
 113 (1) Side lot setbacks on property which abuts residential or agricultural districts shall be
 114 not less than 20 feet. If said lot is a corner lot, the setback shall be the same as for the front
 115 lot.
 116 (2) Rear lot line setbacks shall be twenty (20) feet. If the rear yard does not abut a public
 117 street, then access shall be not less than twenty (20) feet in width and shall be unobstructed
 118 at all times.
 119 (3) Front lot line setbacks shall in no case be less than twenty-five (25) feet.
 120 (4) All structures shall be set back a minimum of 50 feet landward from the ordinary high
 121 water line or mean high water line, whichever is applicable; for waters designated as
 122 Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These
 123 setbacks shall not apply to structures on lots or parcels located landward of existing
 124 bulkheads permitted by the St. Johns River Water Management District or Florida
 125 Department of Environmental Protection.
 126 (5) Where a district is adjacent to a lot line of property of a residential or agricultural
 127 classification, no materials, garbage containers, or refuse shall be allowed nearer than
 128 fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be
 129 screened so as not to be readily visible.
 130 (6) Visual Barrier: Proposed non-residential development shall be buffered from adjacent
 131 land within the residential land use categories identified in Section 20.3-8 with a ten (10)
 132 foot landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and
 133 tree planting thirty (30) feet on center. For all development commenced on or after January
 134 28, 2003, the provisions of this subsection shall not apply. For developments that
 135 commence after this date, the provisions of Article VI of the Clay County Land
 136 Development Code (the Tree Protection and Landscaping Standards) will apply.
 137

138 In addition to the above, Staff also reviewed the request against the Code Article 12-9(3) – **General**
 139 **criteria for rezoning application for rezoning** and found the following:
 140

- 141 a) Whether the proposed change will create an isolated district unrelated to or incompatible
 142 with adjacent and nearby districts. *The subject property is in close proximity to*
 143 *Industrial zoning and land uses.*
 144 b) Whether the district boundaries are illogically drawn in relation to the existing conditions
 145 on the real property proposed for change. *The subject property is in close proximity to*
 146 *infrastructure to support the use and therefore the boundary is not illogically drawn.*
 147 c) Whether the conditions which existed at the time the real property was originally zoned
 148 have changed or are changing, and, to maintain consistency with the Plan, favor the
 149 adoption of the proposed Rezoning. *The industrial land uses and zoning districts are*
 150 *expanding from the north, as well as the County is losing industrials lands due to City*
 151 *annexation.*

- 152 d) Whether the affected real property cannot be used in accordance with existing zoning;
153 *The land can be used in other ways, however the request is consistent with the pattern of*
154 *development in the area.*
- 155 e) Whether the proposed Rezoning application is compatible with and furthers the County's
156 stated objectives and policies of the Plan. *As previously stated, the change to Industrial*
157 *is in keeping with the County's Plan.*
- 158 f) Whether maintenance of the existing zoning classification for the proposed Rezoning
159 serves a legitimate public purpose; *The rezoning of the subject property would allow the*
160 *County to further their supply of land uses that are available as employment centers.*
- 161 g) Whether maintenance of the status quo is no longer reasonable when the proposed
162 Rezoning is inconsistent with surrounding land use; *Not applicable.*
- 163 h) Whether there is an inadequate supply of sites in the County for the proposed intensity or
164 density within the district already permitting such intensity or density. *As stated, the*
165 *County has recently had a loss in the Industrial land inventory due to City annexation*
166

167 **Staff Recommendation**

168
169 This is an Applicant requested rezoning application to change approximately 42.00 acres MOL
170 from AG to IB. Given the presence of existing transportation systems that can support heavy
171 industrial in the area, and the adjacent lands will remain as preservation lands, the zoning requested
172 change appears appropriate.

173
174 This request is consistent with the Goals, Objectives and Policies of the Comprehensive Plan and
175 appears compatible with the surrounding zoning and future land use. Staff recommends **approval**
176 of application ZON 24-0023.

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 (TAX PARCEL IDENTIFICATION # 39-06-26-016503-005-00, TOTALING APPROXIMATELY 41.75 ACRES, FROM THEIR PRESENT ZONING CLASSIFICATIONS OF AG (AGRICULTURAL) TO IB (HEAVY INDUSTRIAL); PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application ZON 24-0023 seeks to rezone certain real property (tax parcel identification #s 39-06-26-016503-005-00) (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 present zoning classifications of the Property are hereby changed from AG (Agricultural) to IB (Heavy Industrial District).

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 as provided by law.

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

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Jim Renninger, Its Chairman

ATTEST:

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

Exhibit "A-1"

PARCEL 1 (BAYARD POINT – ALL OF TRUST PROPERTY):

A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-209); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 76 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 254.18 FEET; THENCE NORTH 65 DEGREES 07 MINUTES 58 SECONDS EAST 1514.19 FEET; THENCE SOUTH 26 DEGREES 25 MINUTES 13 SECONDS EAST 2125.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 26 DEGREES 25 MINUTES 13 SECONDS EAST 35.37 FEET; THENCE SOUTH 26 DEGREES 07 MINUTES 00 SECONDS EAST 132.25 FEET; THENCE SOUTH 54 DEGREES 34 MINUTES 42 SECONDS EAST 274.05 FEET; THENCE SOUTH 31 DEGREES 21 MINUTES 30 SECONDS EAST 401.97 FEET; THENCE SOUTH 66 DEGREES 32 MINUTES 20 SECONDS EAST 457.01 FEET; THENCE NORTH 37 DEGREES 08 MINUTES 47 SECONDS EAST 196.18 FEET; THENCE NORTH 18 DEGREES 59 MINUTES 12 SECONDS WEST, 250.32 FEET TO A POINT HEREINAFTER REFERRED TO AS REFERENCE POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING; THENCE SOUTH 68 DEGREES 48 MINUTES 20 SECONDS WEST 1647.44 FEET; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 979.19 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE EASTERLY AND HAVING A RADIUS OF 2000.00 FEET, RUN A CHORD DISTANCE OF 327.18 FEET, THE BEARING OF SAID CHORD BEING SOUTH 21 DEGREES 14 MINUTES 16 SECONDS EAST; THENCE NORTH 60 DEGREES 33 MINUTES 09 SECONDS EAST 1130.42 FEET; THENCE SOUTH 32 DEGREES 08 MINUTES 11 SECONDS EAST 705.43 FEET; THENCE SOUTH 70 DEGREES 47 MINUTES 39 SECONDS EAST 619 FEET, MORE OR LESS, TO THE WATERS OF THE ST. JOHNS RIVER; THENCE ALONG SAID WATERS IN A GENERAL NORTHEASTERLY AND NORTHWESTERLY DIRECTION 3844 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 38 DEGREES 23 MINUTES 53 SECONDS EAST 1188 FEET, MORE OR LESS, FROM THE AFORESAID REFERENCE POINT "A"; THENCE SOUTH 38 DEGREES 23 MINUTES 53 SECONDS WEST 1188 FEET, MORE OR LESS, TO SAID REFERENCE POINT "A" AND TO CLOSE.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PORTION OF SAID SECTION 47: COMMENCE AT THE AFORESAID REFERENCE POINT "A"; THENCE SOUTH 59 DEGREES 55 MINUTES 10 SECONDS EAST 619.36 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 32 DEGREES 40 MINUTES 57 SECONDS WEST 356.18 FEET; THENCE SOUTH 63 DEGREES 39 MINUTES 16 SECONDS WEST 332.58 FEET; THENCE SOUTH 35 DEGREES 29 MINUTES 09 SECONDS EAST 450 FEET, MORE OR LESS, TO THE WATERS OF THE ST. JOHNS RIVER; THENCE ALONG SAID WATERS IN A GENERAL NORTHEASTERLY AND NORTHWESTERLY DIRECTION 2172 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 46 DEGREES 14 MINUTES 33 SECONDS EAST 1075 FEET, MORE OR LESS, FROM THE POINT OF BEGINNING;

[LEGAL FOR DENA MAE PROPERTY]

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THENCE SOUTH 46 DEGREES 14 MINUTES 33 SECONDS WEST 1075 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO A 60 FOOT WIDE EASEMENT FOR INGRESS, EGRESS, DRAINAGE AND UTILITIES COVERING A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-209); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 76 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 164.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 77.40 FEET; THENCE SOUTH 46 DEGREES 48 MINUTES 34 SECONDS EAST 52.19 FEET; THENCE SOUTH 40 DEGREES 32 MINUTES 03 SECONDS EAST 239.99 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES 36 SECONDS EAST 688.34 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 910.00 FEET, RUN A CHORD DISTANCE OF 188.36 FEET, THE BEARING OF SAID CHORD BEING SOUTH 22 DEGREES 29 MINUTES 11 SECONDS EAST; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 1850.01 FEET; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 884.94 FEET, THE BEARING OF SAID CHORD BEING SOUTH 29 DEGREES 43 MINUTES 48 SECONDS EAST; THENCE SOUTH 42 DEGREES 54 MINUTES 50 SECONDS EAST 544.32 FEET; THENCE SOUTH 39 DEGREES 03 MINUTES 09 SECONDS WEST 60.59 FEET; THENCE NORTH 42 DEGREES 54 MINUTES 50 SECONDS WEST 552.79 FEET; THENCE NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2000.00 FEET, RUN A CHORD DISTANCE OF 912.31 FEET, THE BEARING OF SAID CHORD BEING NORTH 29 DEGREES 43 MINUTES 48 SECONDS WEST; THENCE NORTH 16 DEGREES 32 MINUTES 46 SECONDS WEST 1850.01 FEET; THENCE NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 850.00 FEET, RUN A CHORD DISTANCE OF 175.94 FEET, THE BEARING OF SAID CHORD BEING NORTH 22 DEGREES 29 MINUTES 11 SECONDS WEST; THENCE NORTH 28 DEGREES 25 MINUTES 36 SECONDS WEST 681.98 FEET; THENCE NORTH 40 DEGREES 32 MINUTES 03 SECONDS WEST 230.34 FEET TO THE POINT OF BEGINNING.

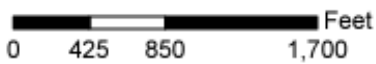
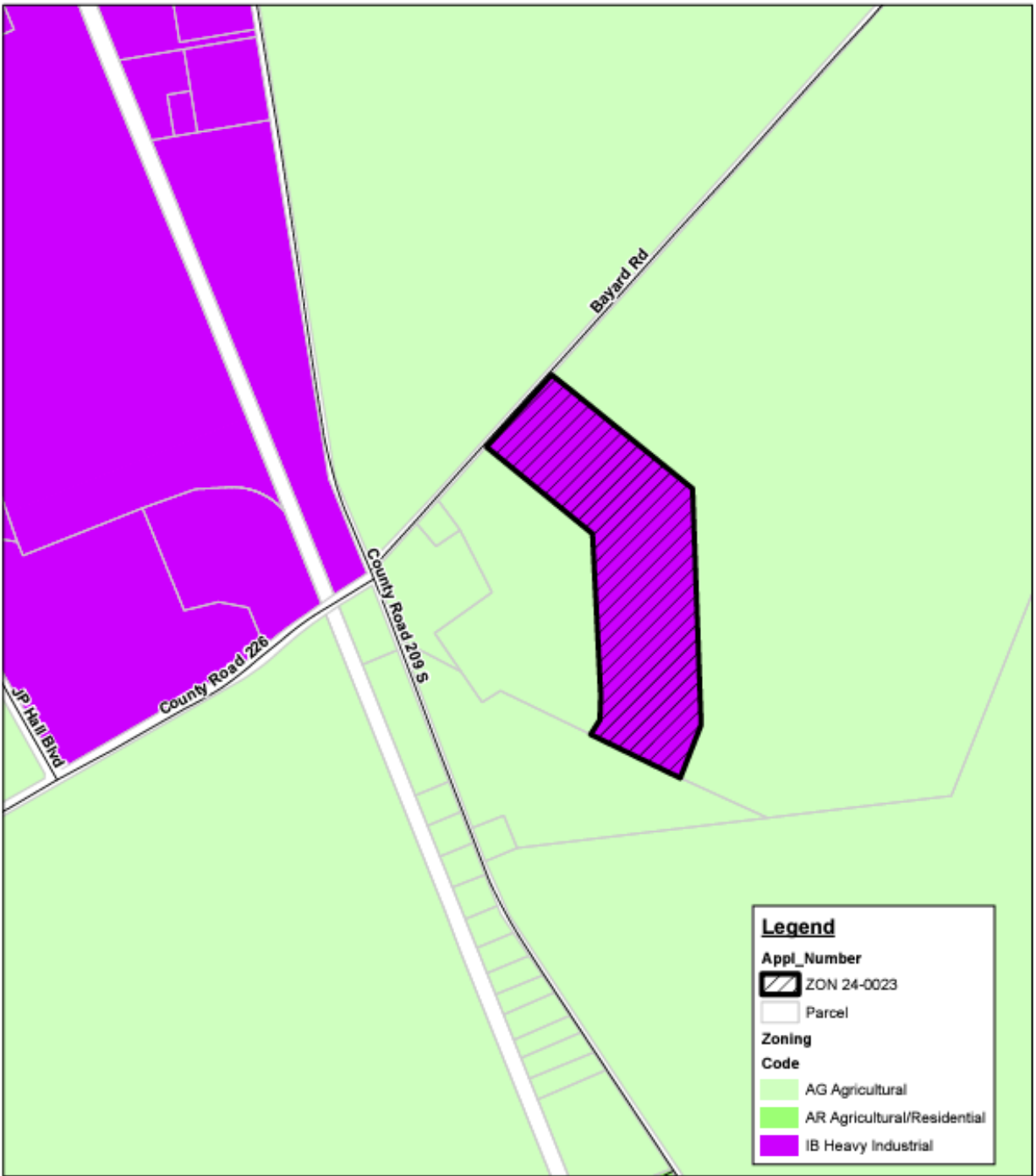
ALSO TOGETHER WITH AND SUBJECT TO A 30 FOOT WIDE EASEMENT FOR INGRESS, EGRESS, AND UTILITIES COVERING A PARCEL OF LAND SITUATED IN SECTION 47, TOWNSHIP 6 SOUTH, RANGE 27 EAST, CLAY COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARK'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE), TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. C-209 (FORMERLY STATE ROAD NO. S-20S); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO

[LEGAL FOR DENA MAE PROPERTY]

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COURSES: 1) NORTH 33 DEGREES 50 MINUTES 55 SECONDS WEST 3346.59 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 625.90 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 29 MINUTES 17 SECONDS WEST; THENCE NORTH 68 DEGREES 52 MINUTES 41 SECONDS EAST 208.71 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS EAST 2529.18 FEET; THENCE NORTH 31 DEGREES 02 MINUTES 02 SECONDS EAST 4336.69 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 45 SECONDS EAST 890.98 FEET; THENCE SOUTH 10 DEGREES 56 MINUTES 14 SECONDS EAST 1193.55 FEET; THENCE SOUTH 75 DEGREES 27 MINUTES 09 SECONDS EAST 2168.95 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 37 SECONDS EAST 4444.60 FEET; THENCE SOUTH 85 DEGREES 59 MINUTES 16 SECONDS EAST 582.18 FEET; THENCE NORTH 04 DEGREES 00 MINUTES 43 SECONDS EAST 241.56 FEET; THENCE SOUTH 46 DEGREES 48 MINUTES 34 SECONDS EAST 52.19 FEET; THENCE SOUTH 40 DEGREES 32 MINUTES 03 SECONDS EAST 239.99 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES 36 SECONDS EAST 688.34 FEET; THENCE SOUTHERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 910.00 FEET, RUN A CHORD DISTANCE OF 188.36 FEET, THE BEARING OF SAID CHORD BEING SOUTH 22 DEGREES 29 MINUTES 11 SECONDS EAST; THENCE SOUTH 16 DEGREES 32 MINUTES 46 SECONDS EAST 1850.01 FEET; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 758.71 FEET TO THE POINT OF BEGINNING, THE BEARING OF SAID CHORD BEING SOUTH 27 DEGREES 49 MINUTES 21 SECONDS EAST; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 1940.00 FEET, RUN A CHORD DISTANCE OF 30.19 FEET, THE BEARING OF SAID CHORD BEING SOUTH 39 DEGREES 32 MINUTES 42 SECONDS EAST THENCE NORTH 56 DEGREES 51 MINUTES 35 SECONDS EAST 165.41 FEET THENCE NORTH 60 DEGREES 08 MINUTES 46 SECONDS EAST 292.10 FEET THENCE NORTH 71 DEGREES 10 MINUTES 56 SECONDS EAST 156.49 FEET THENCE NORTH 79 DEGREES 33 MINUTES 13 SECONDS EAST 344.51 FEET THENCE NORTH 62 DEGREES 37 MINUTES 27 SECONDS EAST 66.78 FEET THENCE NORTH 33 DEGREES 19 MINUTES 41 SECONDS EAST 90.36 FEET THENCE NORTH 45 DEGREES 07 MINUTES 52 SECONDS EAST 76.21 FEET THENCE NORTH 50 DEGREES 52 MINUTES 13 SECONDS EAST 448.97 FEET THENCE NORTH 63 DEGREES 39 MINUTES 16 SECONDS EAST 828.69 FEET THENCE NORTH 32 DEGREES 40 MINUTES 57 SECONDS EAST 356.18 FEET THENCE NORTH 57 DEGREES 19 MINUTES 03 SECONDS WEST 30.00 FEET THENCE SOUTH 32 DEGREES 40 MINUTES 57 SECONDS WEST 347.87 FEET THENCE SOUTH 63 DEGREES 39 MINUTES 16 SECONDS WEST 823.74 FEET THENCE SOUTH 50 DEGREES 52 MINUTES 13 SECONDS WEST 453.83 FEET THENCE SOUTH 45 DEGREES 07 MINUTES 52 SECONDS WEST 80.81 FEET THENCE SOUTH 33 DEGREES 19 MINUTES 41 SECONDS WEST 85.62 FEET THENCE SOUTH 62 DEGREES 37 MINUTES 27 SECONDS WEST 54.47 FEET THENCE SOUTH 79 DEGREES 33 MINUTES 13 SECONDS WEST 342.24 FEET THENCE SOUTH 71 DEGREES 10 MINUTES 56 SECONDS WEST 161.59 FEET THENCE SOUTH 60 DEGREES 08 MINUTES 46 SECONDS WEST 295.86 FEET THENCE SOUTH 56 DEGREES 51 MINUTES 35 SECONDS WEST 169.64 FEET TO THE POINT OF BEGINNING.

Exhibit "A-2"



**Proposed Rezoning: ZON 24-0023
From AG to IB**



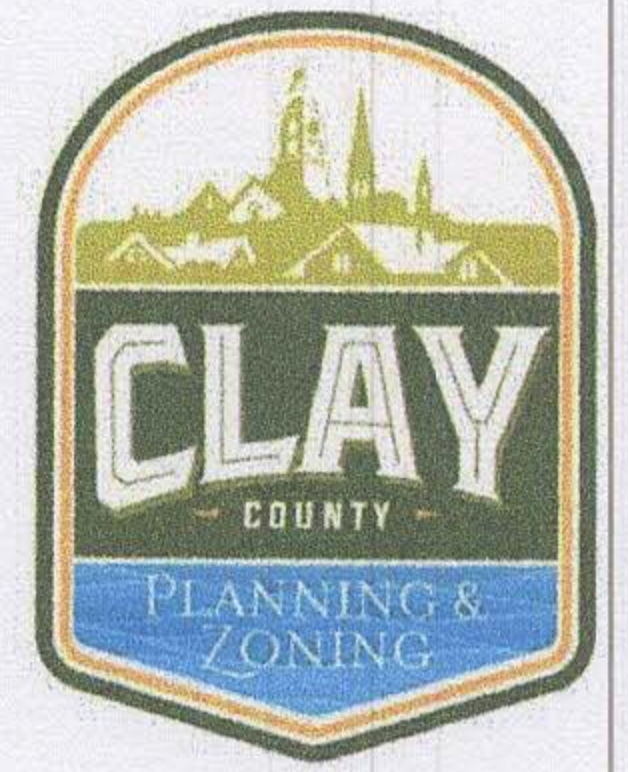


**Department of Economic and Development Services
Planning & Zoning Division**

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

Phone: (904) 284-6300

www.claycountygov.com



Pre-Application Meeting Date:		CAC Meeting Date (if applicable):
Date Rec:	Received By:	IMS #:

REZONING APPLICATION

Owner's Name: The Lemen Family Declaration of Revocable Trust		If the property is under more than one ownership please use multiple sheets.
Owner's Address: 3957 Susan Dr		
City: Green Cove Springs	State: FL	Zip Code: 32043
Phone: (904)759-9576	Email: siteopt@bellsouth.net	

Parcel & Rezoning Information

Parcel Identification Number: 39-06-26-16503-005-00		
Address: Bayard Road		
City: Green Cove Springs	State: FL	Zip Code: 32043
Number of Acres being Rezoned: 41.75	Current Zoning: AG	Current Land Use: AR
Proposed Zoning: IB	I am seeking a: Permitted Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/>	
Property Will be Used as:	INDUSTRIAL	

Required Attachments

Deed Survey Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5
 Agents Authorization Attachment A-1 Owner's Affidavit Attachment A-2 Legal Description Attachment A-3
 Supplemental Development Questions if Rezoning to PUD PCD PID Attachment A-4

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 ten (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 (3) 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.

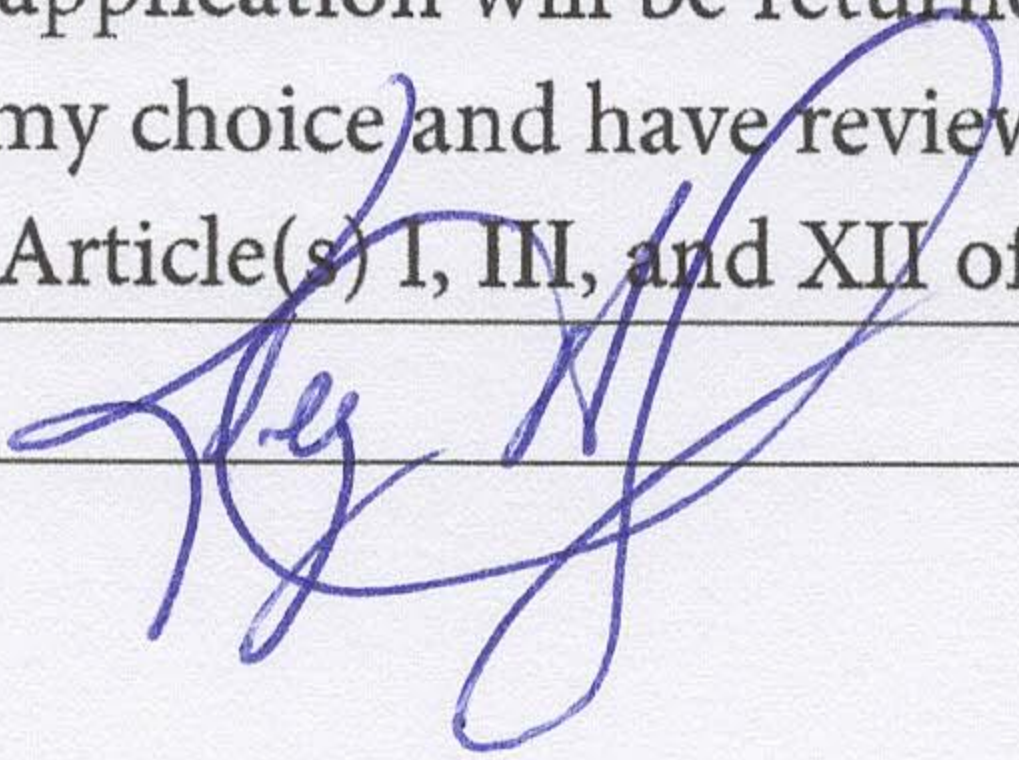
The Florida Times Union will be publishing your rezoning legal notices. You must pre-pay your legal advertisement fees. An affidavit must be paid before receiving proof of publication. Should a petition be withdrawn, legal advertising already published will not be refunded.

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.

Owner's Signature:

Agent



Date:

7/31/24

Printed Name:

Kelly Harwig

The rest of this space is intentionally left blank

Clay County Rezoning Agent Authorization Affidavit - Attachment A-1

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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. As the Owner, I hereby authorize and empower

Kelly Hartwig

whose address is:

P.O. Box 8880 Fleming Island, FL 32006

Phone: *904-759-9576*

Email: *Sitecpt @ bellsouth.net*

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

38-06-26-016503-005-00

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

Owner's Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Susan Lemen Williams

7/31/24

Signature of Owner:

Date:

Susan Lemen Williams

Printed Name of Owner:

Sworn to and subscribed before me this *31st* day of *July* A.D. 20 *24*

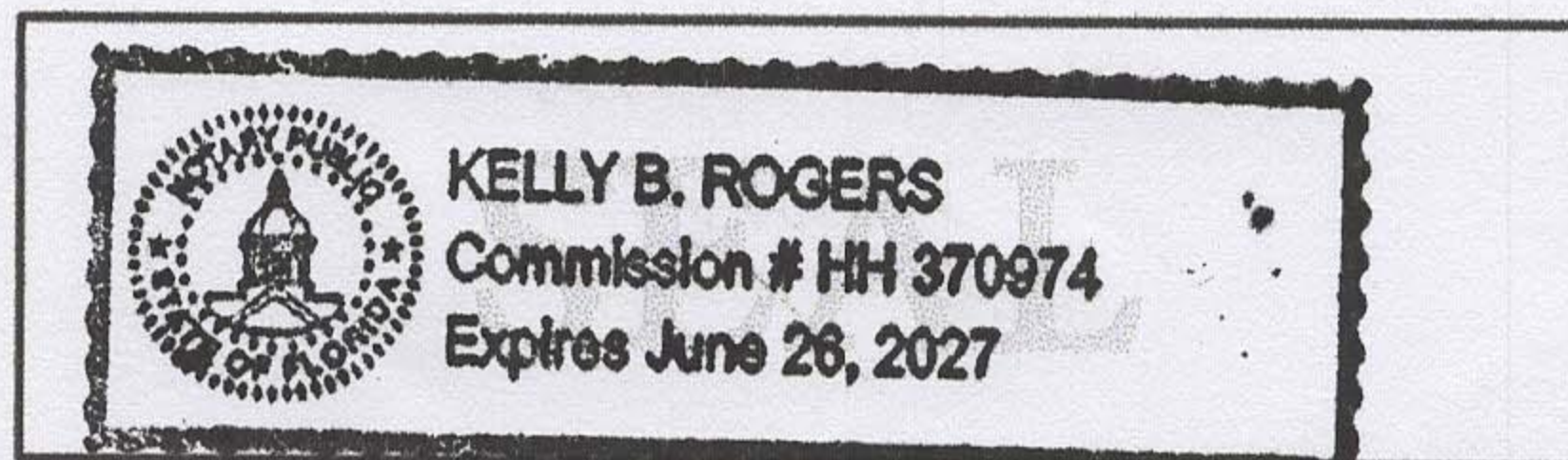
Personally known or produced identification.

Type of identification produced _____ and number (#): _____

Kelly B. Rogers *7/31/24*

Signature of Notary

Date:



Clay County Rezoning Property Ownership Affidavit – Attachment A-2

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 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.

Owner's Electronic Submission Statement: Under the penalty or perjury, I declare that all information contained in this affidavit is true and correct.

I hereby certify that I have read and examined this affidavit and know the same to be complete and correct.

Susan Lemen Williams *7/31/24*

Signature of Owner:

Date:

Susan Lemen Williams

Printed Name of Owner:

Sworn to and subscribed before me this 31st day of July A.D. 20 24

Personally known or produced identification.

Type of identification produced _____ and number (#): _____

Kelly B. Rogers *7/31/24*

Signature of Notary

Date:

