



PLANNING COMMISSION MEETING

December 3, 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 November 5, 2024.

Public Comment

Public Hearings

1. Public Hearing to Consider ZON 24-0035, Proposal Addressing Replacement Policy (M. Brown)
Text amendment to Article III, Section 3-11, Non-conforming Uses, Lot and Structures of the Land Development Code.
2. Public Hearing to Consider PUD 24-0006. (District 1, Comm. Sgromolo) (J. Bryla)
The item was continued from the November 5th Planning Commission Meeting.

This application is a Rezoning to change 62.64 acres from Agricultural Residential District (AR) to Planned Unit Development District (PUD).
3. Public Hearing to consider COMP 24-0024 and ZON 24-0032. (District 4, Comm Condon) (J. Bryla)
 - A. COMP 24-0025
This application is a FLUM Amendment to change 0.05 acres from Commercial (COM) to Rural Residential (RR).
 - B. ZON 24-0032
This application is a Rezoning to change from Commercial and Professional Office District (BA-2) to Agricultural Residential District (AR).
4. Public Hearing to consider ZON 24-0031. (District 4, Comm. Condon) (J. Bryla)
This application is a rezoning to change 2.23 acres from Commercial and Professional Office District (BA-2) to Community Business District (BB-2).
5. Public Hearing to consider COMP 24-0026 and PUD 24-0008. (District 4, Comm. Condon) (D. Selig)
 - A. COMP 24-0026
This application is a FLUM Amendment to change 7.77 acres from Rural Residential (RR) to Industrial Park (IP).
 - B. PUD 24-0008
This application is a Rezoning to change from Country Estates District (AR-1) to

Planned Industrial Development District (PID).

6. Public Hearing to consider Transmittal of COMP 24-0025. (District 5, Comm. Burke) (D. Selig)

This application is a proposed text amendment to the 2040 Comprehensive Plan. The application would make changes to LA FLU Policy 1.4.1 and LA FLU Policy 1.4.10 with respect to the Lake Asbury Interchange Village Center land use category.

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, December 3 5:00 PM

TO: DATE:

FROM:

SUBJECT:

AGENDA
ITEM
TYPE:

ATTACHMENTS:

Description	Type	Upload Date	File Name
Planning Commission Meeting Minutes November 5, 2024	Backup Material	11/26/2024	Planning_Commission_Meeting_Minutes_Only_November_5__2024ADA.pdf



PLANNING COMMISSION MEETING MINUTES

November 5, 2024

5:00 PM

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

Pledge of Allegiance

Commissioner Bo Norton led the Pledge of Allegiance.

Call to Order

Present: Commissioner Mary Bridgman, Chairman
Commissioner Pete Davis, Vice-Chairman
Commissioner Joe Anzalone
Commissioner Bill Garrison
Commissioner Howard "Bo" Norton
Commissioner Ralph Puckhaber
School Board Representative Paul Bement

Absent: Commissioner Michael Bourré
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
Zoning Chief Mike Brown
Zoning Chief Jenni Bryla
Chief Planner Dodie Selig
Economic Services Coordinator Kellie Henry

Chairman Mary Bridgman called the meeting to order at 5:04 pm.

Chairman Mary Bridgman introduced the Board members, recognized several staff members, and thanked CCSO - Deputy Ash, Deputy Leonard and Deputy Barnwell for providing security.

1. **Approval of Minutes**

Planning Commission Meeting Minutes October 1, 2024.

Vice-Chairman Pete Davis made a motion for approval of the October 1, 2024, Planning Commission meeting minutes, seconded by Commissioner Joe Anzalone, which carried 8-0.

Public Comment

Public Comment can be seen at [www.claycountygov.com/gouvernement/clay-county-tv-and-video-archive/Planning Commission/November 5, 2024](http://www.claycountygov.com/gouvernement/clay-county-tv-and-video-archive/Planning%20Commission/November%205,%202024), beginning at 4:54 and ending at 7:25. Below is a summary of the discussion and the vote for this agenda item.

Chairman Mary Bridgman opened the floor for public comment at 5:09 pm.

Curtiss Akim, 3225 Lawton Place, Green Cove Springs, Florida, addressed the Commission regarding the procedure for speaking at the Public Hearing for item 1 on behalf of his neighbors.

Hearing no other comments, Chairman Mary Bridgman closed public comment at 5:11 pm.

Public Hearings

Chairman Mary Bridgman provided an overview and details of the meeting procedure and the function of the Planning Commission.

Before commencing the public hearings, all those who wished to speak were sworn in.

1. Public Hearing to consider transmittal of COMP 24-0023. (B. Carson)
The Applicant is requesting a continuance to the January 7th Planning Commission Meeting.

This application is a Text Amendment to LA TRA Policy 1.2.5 to establish a Transportation Improvement Area (TIA) and to stipulate certain conditions under which a subdivision development of greater than 100 homes may proceed.

COMP-24-0023 can be seen at [www.claycountygov.com/gouvernement/clay-county-tv-and-video-archive/Planning Commission/November 5, 2024](http://www.claycountygov.com/gouvernement/clay-county-tv-and-video-archive/Planning%20Commission/November%205,%202024), beginning at 11:34 and ending at 31:00. Below is a summary of the discussion and the vote for this agenda item.

Beth Carson, Director of Planning and Zoning, addressed the Commission to request a continuance on behalf of the applicant.

Chairman Mary Bridgman opened the floor for the public hearing at 5:17 pm.

Daniel Loos, 2991 Watkins Road, Green Cove Springs, Florida, addressed the Commission to express his opposition and concerns regarding the requested change.

Hearing no other comments, Chairman Mary Bridgman closed the public hearing at 5:19 pm.

Vice-Chairman Pete Davis made a motion for approval of the request for a continuance to the January 7, 2024, Planning Commission meeting, or as soon thereafter that it can be heard, seconded by Commissioner Bo Norton, which carried 4-2, with Commissioners Bill Garrison and Ralph Puckhaber in opposition.

Chairman Mary Bridgman reopened the floor for the public hearing at 5:22 pm.

Randy Gillis, 1807 County Road 209B, Green Cove Springs, Florida, addressed the Commission in opposition to the requested change.

Joan Starnes, County Road 209B, Green Cove Springs, Florida, addressed the Commission to express concerns and opposition with the requested change.

James Bock, 1539 Peters Creek Road, Green Cove Springs, Florida, addressed the Commission to express his concern and opposition to the requested change.

Helana Cormier, 2839 Woodbridge Crossing Court, Green Cove Springs, Florida, addressed the Commission to express opposition to the requested change.

Hearing no other comments, Chairman Mary Bridgman closed the public hearing at 5:33 pm.

Following a question by a member of the public regarding eminent domain, about which the Commission had no information, the Commission moved to item 2.

2. Public Hearing to Consider PUD 24-0006. (District 1, Comm. Cella) (J. Bryla)

The Applicant is requesting a continuance to the December 3rd Planning Commission Meeting.

This application is a Rezoning to change 16.9 acres from Agricultural Residential District (AR) to Planned Unit Development District (PUD).

PUD-24-0006 can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning Commission/November 5, 2024](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning%20Commission/November%205,%202024), beginning at 31:06 and ending at 1:16:08. Below is a summary of the discussion and the vote for this agenda item.

Jenni Bryla, Zoning Chief, addressed the Commission to request a continuance on behalf of the applicant for PUD-24-0006.

Alex Moldovan, 75661 Blackbird Drive, Yulee, Florida, on behalf of Maronda Homes, addressed the Commission to provide details and information for the requested continuance.

Chairman Mary Bridgman opened the floor for the public hearing at 5:42 pm.

Jake Fuchs, 1925 Salt Creek Drive, Fleming Island, Florida, addressed the

Commission to express his concerns with the requested change.

John Bagby, 71 Old Hard Road, Fleming Island, Florida, addressed the Commission in opposition to the requested change.

Todd Hopper, 2175 Blue Herron Cove Drive, Fleming Island, Florida, addressed the Commission in opposition to the requested change.

Troy Patton, 1964 Cattle Gap Lane, Fleming Island, Florida, addressed the Commission in opposition to the requested change.

Angela Mallory, 2121 Blue Herron Cove Drive, Fleming Island, Florida, addressed the Commission in opposition to the requested change.

Robert Hicks, 1945 Little River Drive, Fleming Island, Florida, addressed the Commission in opposition to the requested change.

Steven Grant, 76 Old Hard Road, Fleming Island, Florida, addressed the Commission in opposition to the requested change.

Sheri Chase, 83 Old Hard Road, Fleming Island, Florida, addressed the Commission in opposition to the requested change.

Jacquelyn Welch, 1868 Suwannee River Drive, Fleming Island, Florida, addressed the Commission in opposition to the requested change.

Hearing no other comments, Chairman Mary Bridgman closed the public hearing at 6:07 pm.

Mr. Moldovan addressed the Board to respond to concerns mentioned in the public hearing.

Following additional questions and discussions, Commissioner Ralph Puckhaber made a motion for approval of a continuance, seconded by Vice-Chairman Pete Davis. Following further discussion, the motion carried 4-3, with Commissioners Bill Garrison, Joe Anzalone, and Bo Norton in opposition.

3. Public Hearing to consider COMP 24-0022 and PUD 24-0007. (District 5, Comm. Burke) (D. Selig)

A. COMP 24-0022

This application is a FLUM Amendment to change 21.22 acres from Rural Residential (RR) to Rural Fringe (RF).

B. PUD 24-0007

This application is a Rezoning to change from Agricultural District (AG) and Agricultural Residential District (AR) to Planned Unit Development District (PUD).

*COMP-24-0022/PUD-24-0007 can be seen at
www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning-*

Commission/November 5, 2024, beginning at 1:16:18 and ending at 2:58:06. Below is a summary of the discussion and the vote for this agenda item.

Dodie Selig, Senior Planner, presented a PowerPoint presentation to provide details and information for the public hearing to consider COMP-24-0022 and PUD-24-0007. See Attachment A.

- **COMP-24-0022:** FLUM Amendment to change 21.22 acres from Rural Residential (RR) to Rural Fringe (RF).
- **PUD-24-0007:** Rezoning to change from Agricultural District (AG) and Agricultural Residential District (AR) to Planned Unit Development District (PUD).

Susan Fraser, of SLF Consulting and Agent for the applicant, presented a PowerPoint presentation with an overview of the requested changes. See Attachment B.

There were questions and discussions regarding the primary access to the property, the exit for residents on Shedd Road, and the closure of Shedd Road.

Chairman Mary Bridgman called a recess at 7:03 pm and reconvened at 7:12 pm.

Fire Chief Lorin Mock addressed the Commission and clarified Fire/Rescue's concerns regarding the proposed closing of Shedd Road.

Richard Smith, Director of Engineering, addressed the Commission to answer questions and discuss the flooding and drainage issues in the area.

Chairman Mary Bridgman opened the floor for the public hearing at 7:22 pm.

Ryan Marcyes, The Springs CAC Chair, and resident, addressed the Commission to provide information regarding the vote by the CAC.

Troy Anderson, 1577 Shedd Road, Green Cove Springs, Florida, and CAC Member, addressed the Commission in opposition to the requested changes.

Stacey Reape, 3411 Brown Road, Green Cove Springs, Florida, and CAC member addressed the Commission in opposition to the requested changes.

Mr. Marcyes addressed the Commission to provide his opposition to the requested changes.

George Goodrich, 3776 County Road 315A, Green Cove Springs, Florida, addressed the Commission in opposition to the requested changes.

Mike Fluent, 153 Williams Park Road, Green Cove Springs, Florida, addressed the Commission in opposition to the requested changes.

Ryan Teal, 3102 Lawton Place, Green Cove Springs, Florida, addressed the

Commission in opposition to the requested changes.

Jane Hansford, 3461 William Walker Lane, Green Cove Springs, Florida, addressed the Commission in opposition to the requested changes.

Curtiss Akim, 3225 Lawton Place, Green Cove Springs, Florida - President of the Willow Springs HOA addressed the Commission in opposition to the requested changes and spoke for several other residents who are in opposition.

Katie Marcyes, 1699 Shedd Road, Green Cove Springs, Florida, addressed the Commission in opposition to the requested changes.

Hearing no other comments, Chairman Mary Bridgman closed the public hearing at 7:54 pm.

Ms. Fraser addressed the Commission to respond to the concerns mentioned during the public hearing and requested a continuance.

Following comments by the Commission regarding the requested changes, Commissioner Ralph Puckhaber made a motion for approval of the requested continuance, and with no second, the motion failed.

Commissioner Ralph Puckhaber made a motion to deny the application on the land use, seconded by Commissioner Bo Norton, with more comments from the Commission concerning the request. The motion carried 6-0.

Commissioner Ralph Puckhaber made a motion for denial of the application on the zoning, seconded by Commissioner Bo Norton, which carried 6-0.

4. Public Hearing to consider ZON 24-0029. (District 5, Comm. Burke) (M. Brown)

This application is a Rezoning to change from Commercial and Professional Office District (BA-2) to Neighborhood Business District (BA).

ZON-24-0029 can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning Commission/November 5, 2024](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning%20Commission/November%205,%202024), beginning at 2:58:14 and ending at 3:39:11. Below is a summary of the discussion and the vote for this agenda item.

Mike Brown, Zoning Chief, presented a PowerPoint presentation to provide details and information regarding the public hearing to consider ZON-24-0029, the rezoning to change from Commercial and Professional Office District (BA-2) to Neighborhood Business District (BA). See Attachment C.

The Commission and staff discussed the CAC vote of approval, surrounding development, previous decisions, and intent for the requested change.

Stan Hunt, Applicant, River CPA, addressed the Commission to provide more details and information for the requested change.

Chairman Mary Bridgman opened the floor for the public hearing at 7:22 pm.

Chelsi Baker Shaw, 7837 Highway 17, owner of the property on Fraser Road, Green Cove Springs, Florida, addressed the Commission in opposition to the requested change.

Trina Revels Baker, 1530 Fraser Road, Green Cove Springs, Florida, addressed the Commission in opposition to the requested change.

Jesse Ryan, 1496 Fraser Road, Green Cove Springs, Florida, addressed the Commission in opposition to the requested change.

Susan Ryan, 1496 Fraser Road, Green Cove Springs, Florida, addressed the Commission in opposition to the requested change.

Hearing no other comments, Chairman Mary Bridgman closed the public hearing at 7:54 pm.

Mr. Hunt addressed the Commission to respond to concerns raised during the public hearing.

There were more questions, discussions, and comments regarding Fraser Road's status, i.e., private or public (Private), the portion of the road that services the business, current land use (commercial), zoning, allowed uses, buffer, and concerns with BA use.

Vice-Chairman Pete Davis made a motion for denial, seconded by Commissioner Bo Norton, which carried 4-2 with Commissioners Bill Garrison and Ralph Puckhaber in opposition of the motion.

5. Public Hearing to consider COMP 24-0021 and ZON 24-0027. (District 5, Comm. Burke) (J. Bryla)

A. COMP 24-0021

This application is a FLUM Amendment to change 36.97 acres from Agricultural (AG) to Rural Residential (RR).

B. ZON 24-0027

This application is a Rezoning to change from Agricultural District (AG) to Agricultural Residential District (AR).

COMP-24-0021 and ZON-24-0027 can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning Commission/November 5, 2024](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning%20Commission/November%205,%202024), beginning at 3:39:13 and ending at 3:56:35. Below is a summary of the discussion and the vote for this agenda item.

Jenni Bryla, Zoning Chief, presented a PowerPoint presentation regarding the public hearing to consider COMP-24-0021 and ZON-24-0027. See Attachment D.

- **COMP-24-0021** - FLUM Amendment to change 36.97 acres from Agricultural

(AG) to Rural Residential (RR).

- **ZON-24-0027** - Rezoning to change from Agricultural District (AG) to Agricultural Residential District (AR).

There were clarifications regarding the location of the property.

Laura Benson, Applicant, 6183 County Road 209 South, addressed the Commission to provide more details and information for the requested changes.

There were questions and discussions regarding land being retained, surrounding property, acreage, heirs exemptions, lots, and lots of record.

Chairman Mary Bridgman opened the floor for the public hearing at 9:07 pm.

Mike Fluent, 153 Williams Park Road, Green Cove Springs, Florida, addressed the Commission in favor of the requested changes.

Hearing no other comments, Chairman Mary Bridgman closed the public hearing at 9:09 pm.

Commissioner Ralph Puckhaber made a motion for approval of the application for COMP-24-0021, seconded by Commissioner Joe Anzalone, which carried 6-0.

Commissioner Ralph Puckhaber made a motion for approval of the application for ZON-24-0027, seconded by Commissioner Joe Anzalone, which carried 6-0.

Presentations

There was a brief conversation regarding attendance at training attended by some of the members of the Commission and a request that materials and information provided at the training be shared with those with those who were unable to attend.

There were no presentations.

Old Business/New Business

Old/New Business can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning Commission/November 5, 2024](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning%20Commission/November%205,%202024), beginning at 3:58:30 and ending at 4:03:14. Below is a summary of the discussion.

Commissioner Ralph Puckhaber addressed the Commission to provide details and information regarding the Affordable Housing Committee meeting and attending the upcoming BCC meeting as a committee representative.

Commissioner Joe Anzalone addressed the Commission about traffic and infrastructure issues.

Vice-Chairman Pete Davis spoke about the upcoming retirement of Mike Brown and Commissioner Mike Cella's upcoming last meeting.

Chairman Mary Bridgman reminded those whose terms expire at the end of this year to reapply if they wish to continue to serve.

Public Comment

Chairman Mary Bridgman opened the floor for public comment at 9:16 pm.

Hearing no comments, Chairman Mary Bridgman closed public comment at 9:16 pm.

Adjournment

Chairman Mary Bridgman noted that the next Planning Commission meeting is scheduled for December 3, 2024, and with no further business, adjourned the meeting at 9:16 pm.

Attest:

Committee Chairman

Recording Deputy Clerk



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, December 3 5:00 PM

TO: Planning Commission

DATE: 11/15/2024

FROM: Mike Brown

SUBJECT: Text amendment to Article III, Section 3-11, Non-conforming Uses, Lot and Structures of the Land Development Code.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

This county-initiated amendment to Article III of the Land Development Code is to amend of Section 3-11, Non-conforming Uses, Lot and Structures to allow for the replacement of permitted single family homes, mobile homes and accessory structures on non-conforming lots created prior to January 14, 2025.

In 2010 the Board of County Commissioners adopted a policy that permits the replacement of structures with a valid building permit which are located on non-conforming lots or parcels. This policy was never codified into the Land Development Code. The policy requires the replacement structure to not exceed the footprint of the existing structure.

Staff is proposing to revise the 2010 Board policy to remove the requirement of the replacement structure to not exceed the footprint of the existing structure and adopt the policy in the Land Development Code. The staff proposed change would require the replacement structure to meet the standards of the zoning district in which the property is located.

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: Staff

Staff initiated.

ATTACHMENTS:

	Description	Type	Upload Date	File Name
▢	Ordinance ZON 24-0035	Ordinance	11/26/2024	Ordinance_ZON_24-0035_Finalada.pdf
▢	Staff Report ZON 24-0035	Backup Material	11/26/2024	Staff_Report__Replacement_Policyada.pdf

ORDINANCE 2025-____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, RELATING TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED PURSUANT TO ORDINANCE NO. 93-16, AS SUBSEQUENTLY AMENDED, AND COMPRISING THE ZONING AND LAND USE PROVISIONS BY AMENDING SECTION 3-11, NONCONFORMING USES, LOTS AND STRUCTURES, TO ADD A NEW SUBSECTION (I) CONCERNING THE REPLACEMENT OF SINGLE FAMILY HOMES, MOBILE HOMES AND ACCESSORY STRUCTURES ON NONCONFORMING LOTS CREATED PRIOR TO JANUARY 14, 2025; 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 3-11 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 3-11, Article III is hereby amended to add a new subsection (I) as follows:

- (I) Parcels created prior to January 14, 2025, on which a single-family home, mobile home or accessory structure has been constructed or placed on the site based upon the issuance of a valid building permit by Clay County, shall be allowed to replace that single family home, mobile home or accessory structure consistent with the minimum setbacks, percentage lot coverage, and minimum living area of the zoning district in which the parcel is located.

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 January, 2025.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

BY: _____
Its Chairman

ATTEST

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



1 **Staff Report Land Development Code Text Amendment**
2 **ZON 24-0035**

3
4
5 **Applicant:** Clay County Planning and Zoning Division
6
7

8 **Introduction**

9 This county-initiated amendment to Article III of the Land Development Code is to amend of
10 Section 3-11, Non-conforming Uses, Lot and Structures to allow for the replacement of permitted
11 single family homes, mobile homes and accessory structures on non-conforming lots created prior
12 to January 14, 2025.

13
14 On April 13, 2010 the Board of County Commissioners adopted the following policy:

15
16 It shall be the policy of the Board of County Commissioners that any single-family home,
17 accessory structure or mobile home that has been constructed or placed on a site based on
18 upon the issuance of a valid building permit by Clay County, shall be allowed to replace that
19 single family home, accessory structure or mobile home with a structure of the same type
20 which does not expand the footprint of the replaced structure.

21
22 This policy was never codified in the Land Development Code but has provided direction to staff for
23 situations where lot or parcel is unbuildable due to non-conformity but there exists a permitted
24 residential dwelling or accessory structure on the parcel. The policy, as adopted, restricts the
25 footprint of the replacement structure to no larger than the footprint of the existing structure.

26
27 Staff is proposing to revise the Board policy and adopt the following as Subsection 3-11(l) into the
28 Land Development Code.

29
30 Parcels created prior to January 14, 2025, on which a single-family home, mobile home or
31 accessory structure has been constructed or placed on the site based upon the issuance of a
32 valid building permit by Clay County, shall be allowed to replace that single family home,
33 mobile home or accessory structure consistent with the minimum setbacks, percentage lot
34 coverage, and minimum living area of the zoning district in which the parcel is located.

38 **Discussion**

39 The adopted Board policy permits the replacement of structures with a valid building permit which
40 are located on a non-conforming lot or parcel. These situations arise when a land owner splits a
41 parcel and the resulting parcel, which contains a permitted structure, does not meet the minimum
42 lot size set forth in the corresponding zoning district.

43
44 Staff is proposing to remove the requirement of the replacement structure being the same footprint
45 as the existing structure. Many of the circumstance where the replacement policy comes into play
46 are older parcels with older mobile homes. Often the existing structure does not meet the minimum
47 livable space required in the zoning district. If the County is going to allow replacement of existing
48 structures, the replacement structure should not be limited by the footprint of the existing structure
49 but should be required to meet the standards for the zoning district in which it is located.

50
51 In addition, staff is working with the Property Appraisers Office to inform and educate property
52 owners who desire to split their property to coordinate with Planning and Zoning to make sure the
53 resulting parcels are buildable.

54
55 **Recommendation**

56
57 Staff recommends the BCC rescind the policy adopted on April 13, 2010, and adopt the
58 following new Subsection 3-11(l) into the Land Development Code:

59
60 Parcels created prior to January 14, 2025, on which a single-family home, mobile
61 home or accessory structure has been constructed or placed on the site based upon
62 the issuance of a valid building permit by Clay County, shall be allowed to replace
63 that single family home, mobile home or accessory structure consistent with the
64 minimum setbacks, percentage lot coverage, and minimum living area of the zoning
65 district in which the parcel is located.

66



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, December 3 5:00 PM

TO: Planning Commission

DATE: 10/21/2024

FROM: Jenni Bryla, Zoning Chief

SUBJECT:

The item was continued from the November 5th Planning Commission Meeting.

This application is a Rezoning to change 62.64 acres from Agricultural Residential District (AR) to Planned Unit Development District (PUD).

AGENDA ITEM TYPE:

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Applicant

Owner(s): Diane Land Corp, Linda Land Corporation, Doris D. Partridge.

Agent: Frank Miller, Gunster, Yoakley & Stewart PA

ATTACHMENTS:

Description	Type	Upload Date	File Name
▢ Staff Report for PUD 24-006 _ public	Cover Memo	11/21/2024	PUD_24-0006_Old_Hard_Rd-Staff_Report-_final_jb.pdf
▢ Ordinance PUD 24-0006	Backup Material	11/26/2024	PUD_24-0006-_Old_Hard_Rd-Ordinance_final-1ada.pdf
▢ Application	Backup Material	11/26/2024	applicationsada.pdf
▢ Opposition Letters	Backup Material	11/26/2024	Combined_Oppositionada.pdf



1 **Staff Report and Recommendations for PUD-24-0006**

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:**

Parcel #: 06-05-26-014244-000-00	Address: 60 Old hard Road
Owner: Diane Land Corp	Fleming island, FL 32003
Parcel #s: 06-05-26-014244-001-00, 06-05-26-014244-003-00,	Address: 60 Old hard Road
Owner: Linda Land Corporation	Fleming island, FL 32003
Parcel #: 06-05-26-014244-001-01 & 06-05-26- 014244-002-00	Address: 60 Old hard Road
Owner: Doris D Partridge	Fleming Island, FL 32003
Agent: Frank Miller	1 Independent Dr. Suite 2300, Jacksonville, FL

7

8 **Property Information**

Parcel ID: 06-05-26-014244-000-00, 06-05-26-014244-001-00, 06-05-26-014244-003-00, 06-05-26-014244-001-01, 06-05-26-014244-002-00 **Address:** 60 Old Hard Road
Fleming Island, FL 32003

Current Land Use: RF (Rural Fringe) **Current Zoning:** AR
(Agricultural/Residential District)

Proposed Zoning: PUD (Planned Unit Development) **Acres:** 62.64 +/- acres
Acres affected by Zoning change: 62.64 +/- acres

Commission District: 1, Commissioner Sgromolo **Planning District:** Fleming island

9

10 **Introduction:**

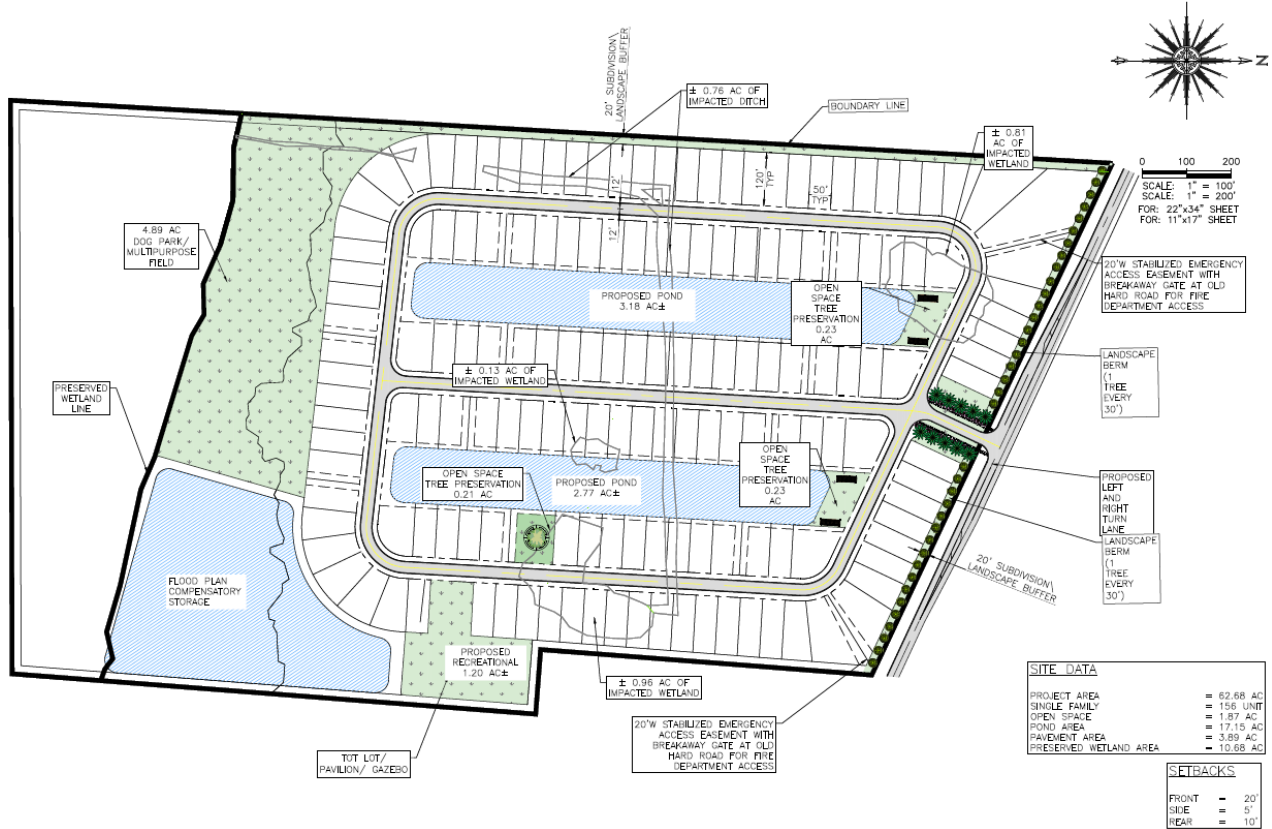
11 This application is a rezoning of 5 separate parcels of land, totaling approximately 63 acres, from AR
12 (Agricultural/Residential) to PUD (Planned Unit Development). The Applicant desires to construct a single-
13 family residential subdivision with approximately 156 homes at a net density of 2.48 units/acre under the
14 proposed Rural Fringe (RF) Future Land Use designation.

15

16 The subject parcel is located on the south side of Old Hard Road, just east of Blue Heron Cove Drive and west
 17 of Cattle Gap Lane. Parcel #06-05-26-014244-001-01 has one small single-family structure and accessory
 18 structures. The other four parcels are vacant. The Applicant desires to construct approximately 156-unit
 19 single-family residential subdivision on this parcel at a density of less than 3 units/acre as allowed under the
 20 Rural Fringe Future Land Use designation, as shown below.

21
 22

Proposed Master Plan



23
 24
 25
 26

Figure 1 – Parcel Map

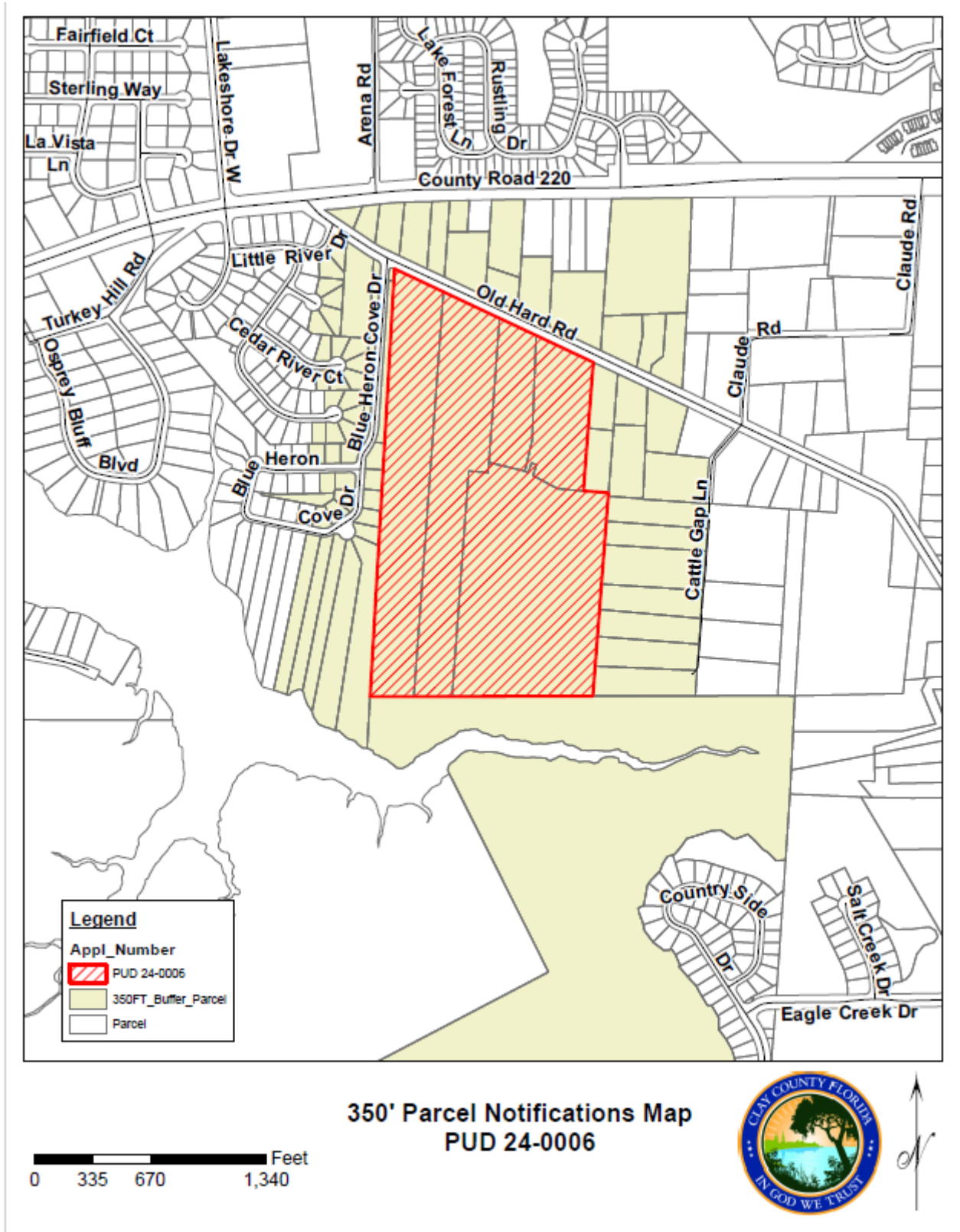


Figure 2 – Aerial Photo

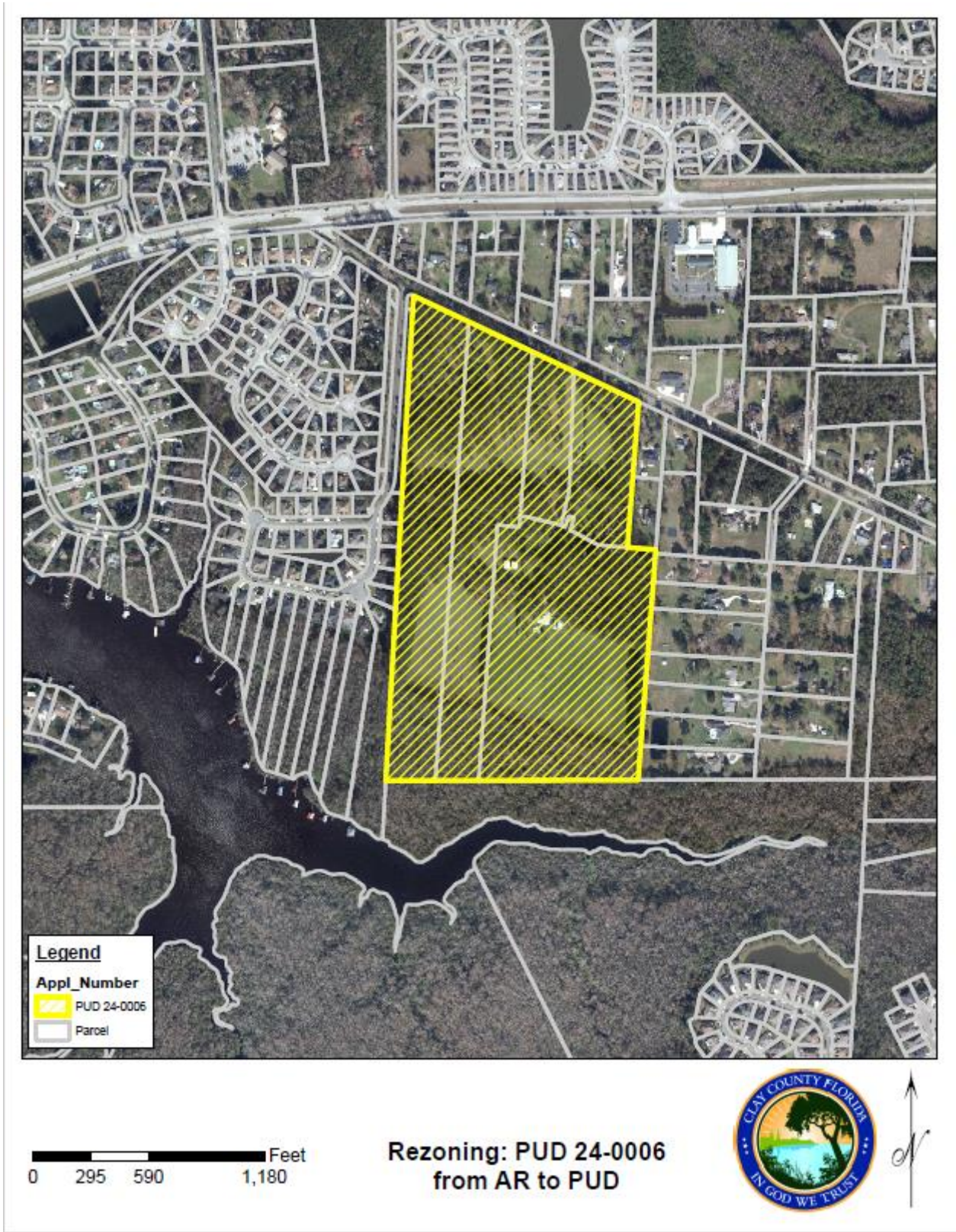
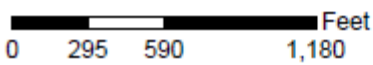
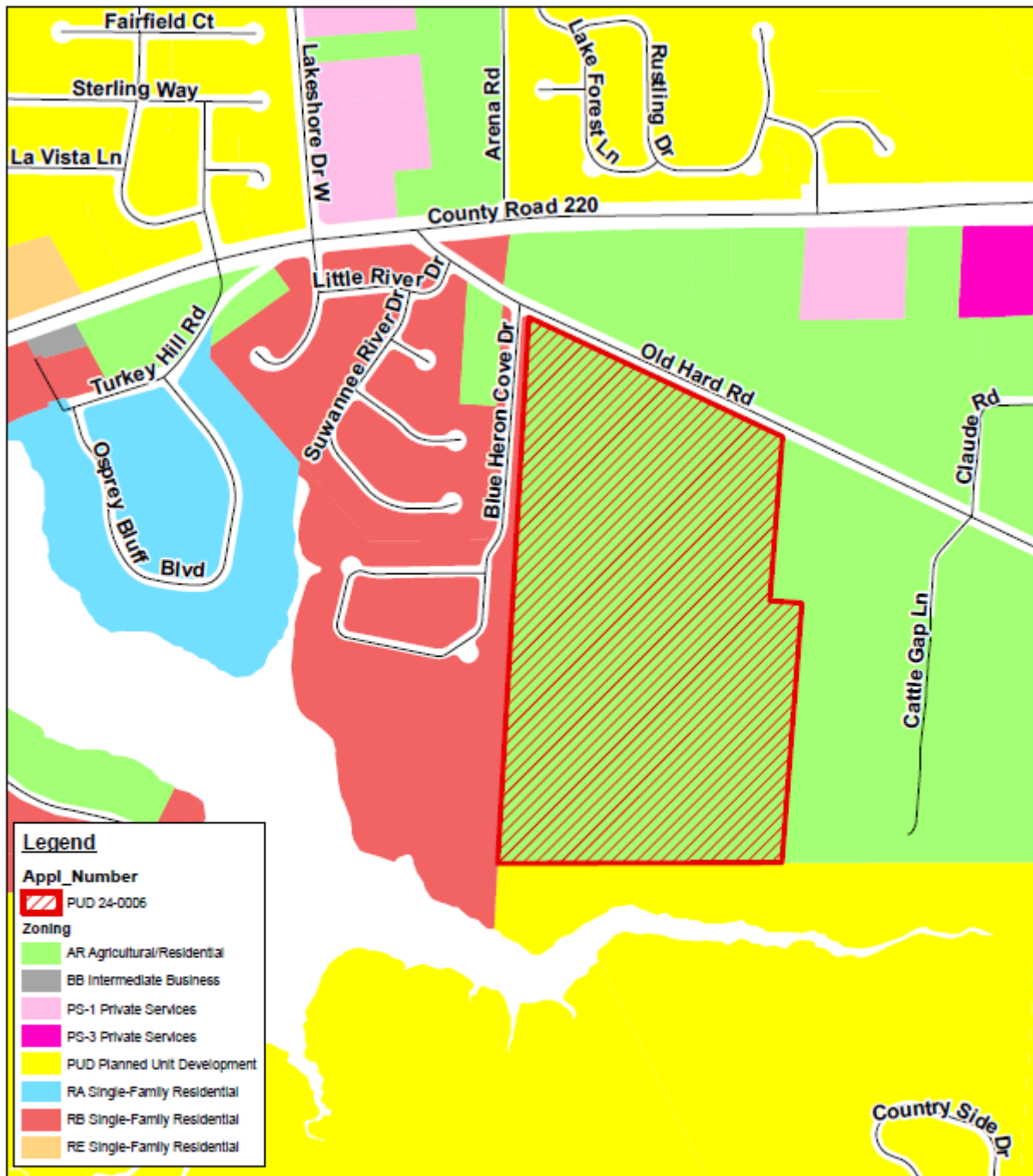


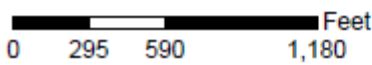
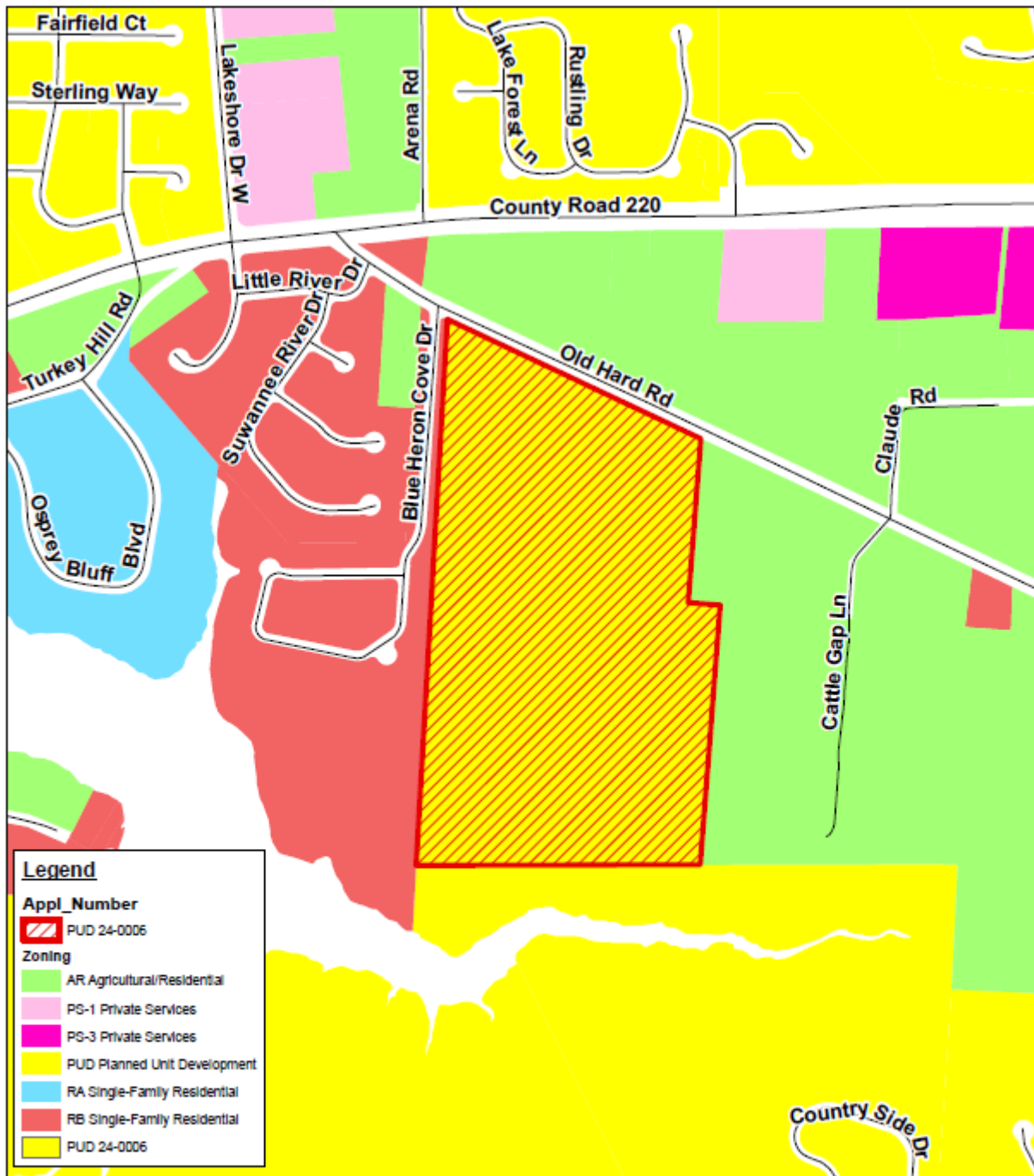
Figure 3 – Existing Zoning Map



**Existing Zoning
Rezoning: PUD 24-0006
from AR to PUD**



Figure 4 – Proposed Zoning Map



**Proposed Zoning
Rezoning: PUD 24-0006
from AR to PUD**



36

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

38 The following Goals/Objective/Policies support the proposed Rezoning Amendment to the Code:

39 FLU Policy 1.4.1.5 Rural Fringe (RF) (Suburban)

40 This designation is reserved for land accessible to existing Urban Services and located in the areas
41 where extension of central water and (where applicable) sewer service can be easily provided.
42 Densities in this area shall be a maximum of three units per net acre and a minimum of one unit per
43 net acre. This density category is almost exclusively characterized by single-family detached housing
44 units but may also include two and three family residential developments.

45 A maximum density of 7 units per net acre may be allowed within the Rural Fringe designation on
46 the Future Land Use Map for the provision of housing for the elderly or handicapped and housing
47 for very low, low income and moderate income households. Location shall be based on need and
48 criteria assessing proximity to the following: employment, mass transit, health care, parks,
49 commercial services, and central utility services, as detailed in the Housing Element and land
50 development regulations.

51

52 **Analysis of Proposed Rezoning Amendment**

53 In reviewing the proposed application for Rezoning, the following criteria may be considered along with
54 such other matters as may be appropriate to the particular application:

- 55
56 (a) Whether the proposed change will create an isolated district unrelated to or incompatible with
57 adjacent and nearby districts;

58 Staff Finding: *The adjacent parcel to the west is zoned single-family residential (RB) and the parcels to the*
59 *north and east are zoned Agricultural/Residential (AR). The parcels directly adjacent to the west are similar*
60 *in size to what is being proposed on the subject parcel. All parcels south of CR 220, over to Canova Road*
61 *have a Future Land Use of Rural Fringe (RF). Across CR 220 there is a large PUD and more RF, all of which*
62 *have similar densities to what is being proposed. The proposed change should not be incompatible with the*
63 *adjacent and nearby districts given the other similar densities and intensities.*

- 64 (b) Whether the district boundaries are illogically drawn in relation to the existing conditions on the
65 real property proposed for change;

66 Staff Finding: *The existing district boundaries are not illogically drawn. They reflect the former use of the*
67 *property as a single-family residence with pastures.*

68 (c) Whether the conditions which existed at the time the real property was originally zoned have
69 changed or are changing, and, to maintain consistency with the Plan, favor the adoption of the proposed
70 Rezoning;

71 Staff Finding: *This area is changing in response to the development along CR220 and the increased*
72 *demand for new single-family subdivisions. The County is specifically improving the intersection of Old*
73 *Hard Rd. and CR 220, after recognizing the less than optimal conditions of that intersection and the*
74 *number of users and accidents.*

75 (d) Whether the affected real property cannot be used in accordance with existing zoning;

76 Staff Finding: *The residentially zoned portion of the property could continue to be used as a single-family*
77 *home.*

78 (e) Whether the proposed Rezoning application is compatible with and furthers the County's stated
79 objectives and policies of the Plan;

80 Staff Finding: *The proposed rezoning is compatible with the Comprehensive Plan as it reduces urban*
81 *sprawl by providing redevelopment in close proximity to a major transportation corridor, CR 220.*
82 *Specifically Housing Objective 1.1 and Housing Policy 1.1.1 which says:*

83 Clay County shall provide appropriate land use categories and land development regulations to
84 allow for a variety of housing types and values for the additional dwelling units needed to meet the
85 projected rise in population by the year 2040.

86 HOU POLICY 1.1.1 The County shall provide incentives for "in-fill" development in
87 existing urbanized areas in order to discourage unwarranted urban sprawl.

88

89 (f) Whether maintenance of the existing zoning classification for the proposed Rezoning serves a
90 legitimate public purpose;

91 Staff Finding: *There is no public purpose served by maintaining the existing zoning.*

92 (g) Whether maintenance of the status quo is no longer reasonable when the proposed Rezoning is
93 inconsistent with surrounding land use;

94 Staff Finding: *Maintaining the current zoning is not a reasonable course in this location as it hinders the*
95 *highest and best use of the parcels consistent with the goals of the County as established in the*
96 *Comprehensive Plan. In addition, the Applicant is improving Old Hard Road by providing deceleration*
97 *lanes and culverting portions of the road for additional access.*

98 (h) Whether there is an inadequate supply of sites in the County for the proposed intensity or density
99 within the district already permitting such intensity or density.

100 Staff Finding: *There is a high demand for single-family residential development in this area of the County*
101 *and within the Urban Service Area. This project serves as “infill development” that should not cause*
102 *difficulty for the County to provide appropriate services to the residents.*

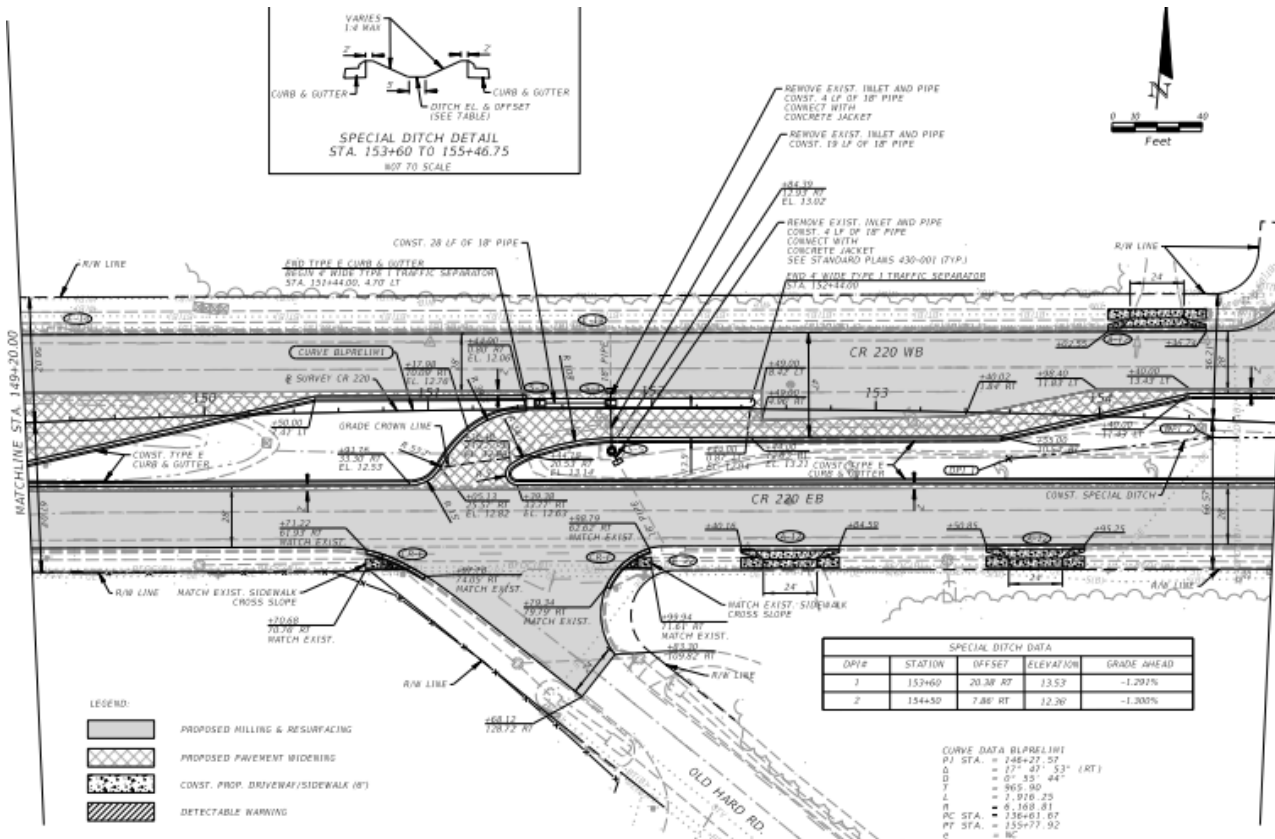
103 The proposed rezoning would change the subject parcel from AR (Agricultural Residential) to PUD (Planned
104 Unit Development). This change would be in keeping with the evolving character of the surrounding districts
105 as shown in the table below:

	Future Land Use	Zoning District
North	RF- Rural Fringe	AR- Agricultural Residential (single-family homes)
South	PC- Planned Community	PUD The Crossings (Eagle Harbor)
East	RF- Rural Fringe	AR- Agricultural Residential (single-family residential)
West	RF- Rural Fringe	RB- Single Family Residential (single-family homes)

106

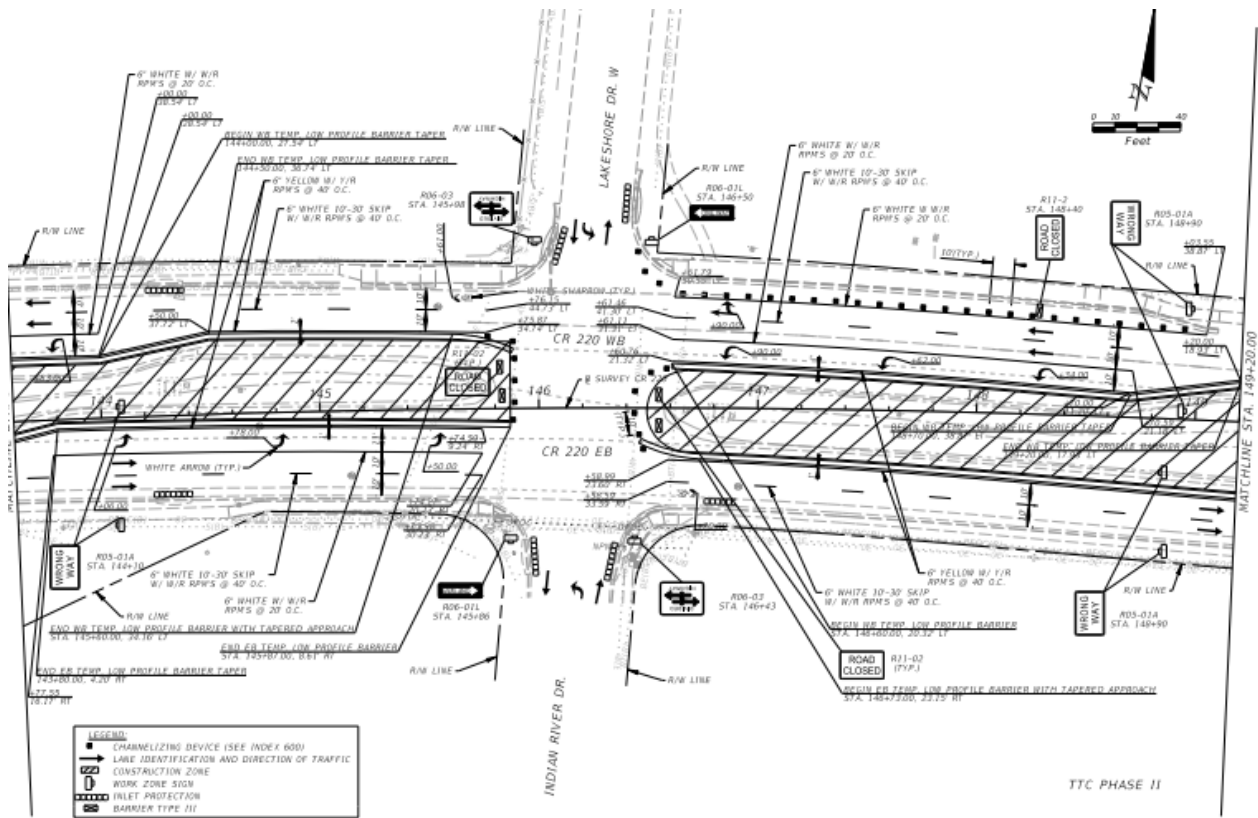
107 Clay County’s future land use designation for the land to the south, separated by Swimming Pen Creek, is PC
108 (Planned Community) and is part of the Crossings PUD. The adjacent property to the west, is developed as a
109 single-family residential subdivision “Admiral’s Inlet” as well as “Riverbend” neighborhood further west.
110 North and east have a future land use designation of RF (Rural Fringe). Clay County’s RF (Rural Fringe)
111 Future Land Use category allows up to 3 units per net acre, unless the project is dedicated to low and moderate
112 income or elderly or handicapped housing in which case the density may go up to 7 units per net acre.

113 The transportation improvements that the County is currently investing in at the intersection of CR 220 and
114 Old Hard Road should reduce the “cut-through” traffic that occurs along Old Hard Road. (Figures 5 & 6)



115
 116 **Figure 5 – Reconstructed intersection at CR 220 and Old Hard Road**

117 Should the numbers warrant, the Applicant will be required to invest in some additional transportation
 118 improvements, in addition to the improvements that they are currently planning, along the Old Hard Road
 119 corridor. Clay County’s current zoning district category for all five parcels is AR (Agricultural/Residential).
 120 The property to the west has the zoning classification RB (single family residential), with a maximum density
 121 of 3 units per net acre. In comparison, the proposed project would have the same allowable density of
 122 approximately 3 units/acre, as the adjacent subdivisions of Riverbend, Admirals Inlet and Osprey Bluff.



123
124 **Figure 6 – Reconstructed intersection west of CR 220 and Old Hard Road**

125 Although the proposed development is consistent with the directives of the Comprehensive Plan and the
 126 general pattern of the development in the area, the Code specifically states that PUD zoning should be used
 127 for creative concepts in planning that result in a more desirable product. Staff has found that the revised
 128 master plan does create a more specialized plan with a primary focus on environmental factors.

129 The Applicant is providing an enhanced landscape entry way, additional open space and tree buffers,
 130 compensatory storage above what is required and additional amenity areas. These enhanced standards
 131 should add to the value of the development and the County as a whole.

132 **Recommendation**

133 Based on the findings above, Staff recommends approval of the PUD 24-0006.

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 #s 06-05-26-014244-000-00, 06-05-26-014244-001-00, 06-05-26-014244-002-00, 06-05-26-014244-003-00, 06-05-26-014244-001-01), TOTALING 62.64 ACRES, FROM ITS PRESENT ZONING CLASSIFICATIONS OF AR (AGRICULTURAL RESIDENTIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application PUD-24-0006, submitted by Frank Miller, seeks to rezone certain real property (tax parcel identification #s 06-05-26-014244-000-00, 06-05-26-014244-001-00, 06-05-26-014244-002-00, 06-05-26-014244-003-00, 06-05-26-014244-001-01) (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 zoning classification of the Property is hereby changed from AR (Agricultural/Residential District) to PUD (Planned Unit Development), subject to the conditions outlined in the Written Statement attached as Exhibit “B-1” and the Site Plan attached as Exhibit “B-2”.

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.

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

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
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 (06-05-26-014244-000-00):

A parcel of land consisting of a portion of Government Lots 1 and 2, Section 6, Township 5 South, Range 26 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the Northwest corner of the East 1/2 of the Northeast 1/4 of said Section 6; thence on the west line thereof, (also being the East line of said Government Lot) run South 04 degrees 13 minutes 40 seconds West, 993.24 feet to the Southerly line of the Old Doctors Inlet-Green Cove Springs Road, (also known as Old Hard Road); thence on last said line North 64 degrees 21 minutes 20 seconds West 581.93 feet to the Point of Beginning; thence continue on last said line North 64 degrees 21 minutes 20 seconds West 687.36 feet to the East line of the Westerly 129.42 feet of said Government Lot 1; thence on last said line, and then on the East line of the Westerly 129.42 feet of said Government Lot 2, south 04 degrees 09 minutes 40 seconds West, 2,482.52 feet to the South line of said Government Lot 2 thence on last said line North 89 degrees 26 minutes 40 seconds East 639.24 feet; thence North 04 degrees 13 minutes 40 seconds East 2,178.22 feet to the Point of Beginning, being 34.15 acres, more or less in area.

Less and except any portion lying within Warranty Deed to Donal M. Partridge, Sr. and Doris D. Partridge, his wife in Official Records Book 2282, page 1172 and Quit Claim Deed to Linda Land Corporation in Official Records Book 3687, page 1995 of the public records of said County.

PARCEL 2 (06-05-26-014244-003-00):

A parcel of land consisting of a portion of Government Lots 1 and 2, Section 6, Township 5 South, Range 26 East, Clay County, Florida, said portion being more particularly described as follows:

Commence at the Northeast corner of said Government Lot 1; thence on the East line thereof, South 04 degrees 13 minutes 40 seconds West, 993.24 feet to the Southwesterly line of Old Hard Road; thence on said Southwesterly line, North 64 degrees 21 minutes 20 seconds West, 581.93 feet to the Point of Beginning; thence continue North 64 degrees 21 minutes 20 seconds West, 358.80 feet; thence South 04 degrees 09 minutes 40 seconds West, 2336.96 feet to the South line of said Government Lot 2; thence on said South line, North 89 degrees 26 minutes 40 seconds East, 182.14 feet; thence North 04 degrees 13 minutes 40 seconds East, 1295.33 feet; thence South 85 degrees 43 minutes 23 seconds East, 150.00 feet; thence North 04 degrees 13 minutes 40 seconds East, 895.55 feet to the Point of Beginning.

PARCEL 3 (06-05-26-014244-001-00):

A parcel of land consisting of a portion of Government Lots 1 and 2, together with a portion of the East 1/2 of the Northeast 1/4, all in Section 6, Township 5 South, Range 26 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the Northwest corner of said East 1/2 of the Northeast 1/4 of Section 6; thence on the West line thereof (also being the East line of said Government Lots 1 and 2) run South 04 degrees 13 minutes

ATTACHMENT A-3: LEGAL DESCRIPTION

40 seconds West, 993.24 feet to the Point of Beginning, in the Southerly line of the Old Doctors Inlet-Green Cove Springs Road, (also known as Old Hard Road); thence continue on said West line of the East 1/2 of the Northeast 1/4, South 04 degrees 13 minutes 40 seconds West, 777.50 feet; thence South 85 degrees 46 minutes 20 seconds East, 114.83 feet; thence South 04 degrees 13 minutes 40 seconds West, 1,133.29 feet to the South line of said East 1/2 of the Northeast 1/4; thence on last said line and then on the South line of said Government Lot 2, South 89 degrees 26 minutes 40 seconds West, 658.87 feet; thence North 04 degrees 13 minutes 40 seconds East, 2,178.22 feet to the Southerly line of the Old Doctors Inlet-Green Cove Springs Road; thence on last said line South 64 degrees 21 minutes 20 seconds East, 581.93 feet to the Point of Beginning, being 28.49 acres, more or less in area.

Less and except any portion lying within Warranty Deed to Donal Merritt Partridge, Sr. and Doris Doreen Partridge, his wife in Official Records Book 1637, page 1580 and Quit Claim Deed to Donal M. Partridge, Sr. and Linda Louise Alderson in Official Records Book 3687, page 1386 of the public records of said County.

PARCEL 4 (06-05-26-014244-002-00):

A parcel of land consisting of a portion of Government Lots 1 and 2, Section 6, Township 5 South, Range 26 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the Northeast corner of said Government Lot 1: thence on the East line thereof, South 04 degrees 13 minutes 40 seconds West, 993.24 feet to the Southwesterly line of Old Hard Road and the Point of Beginning; thence continue on said East line, South 04 degrees 13 minutes 40 seconds West, 777.50 feet; thence North 85 degrees 46 minutes 20 seconds West, 109.62 feet; thence North 61 degrees 47 minutes 50 seconds West, 211.28 feet; thence North 17 degrees 45 minutes 10 seconds East, 79.46 feet; thence North 72 degrees 14 minutes 50 seconds West, 30.00 feet; thence South 17 degrees 45 minutes 10 seconds West, 73.93 feet; thence North 85 degrees 46 minutes 23 seconds West, 20.97 feet; thence North 13 degrees 17 minutes 21 seconds East, 205.00 feet; thence North 02 degrees 11 minutes 46 seconds East, 610.86 feet to said Southwesterly line of Old Hard Road; thence on said Southwesterly line, South 64 degrees 21 minutes 20 seconds East, 366.16 feet to the Point of Beginning.

PARCEL 5 (06-05-26-014244-001-01):

A parcel of land situated partly in Government Lot 2, and partly in the East 1/2 of the Northeast 1/4 of Section 6, Township 5 South, Range 26 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the northeast corner of those lands described in Official Records Book 837, page 467 of the public records of said county; thence on the easterly line of said lands run South 04 degrees 13 minutes 40 seconds West, 777.29 feet to the point of beginning situated in the northerly line of those lands described in Official Records Book 173, page 211 of said public records; thence on said northerly line South 85 degrees 46 minutes 20 seconds East, 114.83 feet to the easterly line of last said lands; thence on said easterly line South 04 degrees 13 minutes 40 seconds West, 1,133.29 feet to the south line of said East 1/2 of the Northeast 1/4; thence on said south line and on the south line of said Government Lot 2, run South

ATTACHMENT A-3: LEGAL DESCRIPTION

89 degrees 26 minutes 40 seconds West, 658.87 feet; thence North 04 degrees 13 minutes 40 seconds East, 1282.65 feet; thence South 85 degrees 46 minutes 23 seconds East, 211.20 feet; thence North 17 degrees 45 minutes 10 seconds East, 73.93 feet; thence South 72 degrees 14 minutes 50 seconds East, 30.0 feet; thence South 17 degrees 45 minutes 10 seconds West, 79.46 feet; thence South 61 degrees 47 minutes 50 seconds East, 211.28 feet; thence South 85 degrees 46 minutes 20 seconds East, 109.62 feet to the point of beginning.

TOGETHER WITH

A parcel of land situated in Government Lot 2, Section 6, Township 5 South, Range 26 East, Clay County, Florida, said parcel being more particularly described as follows:

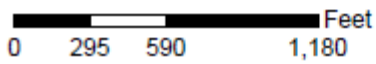
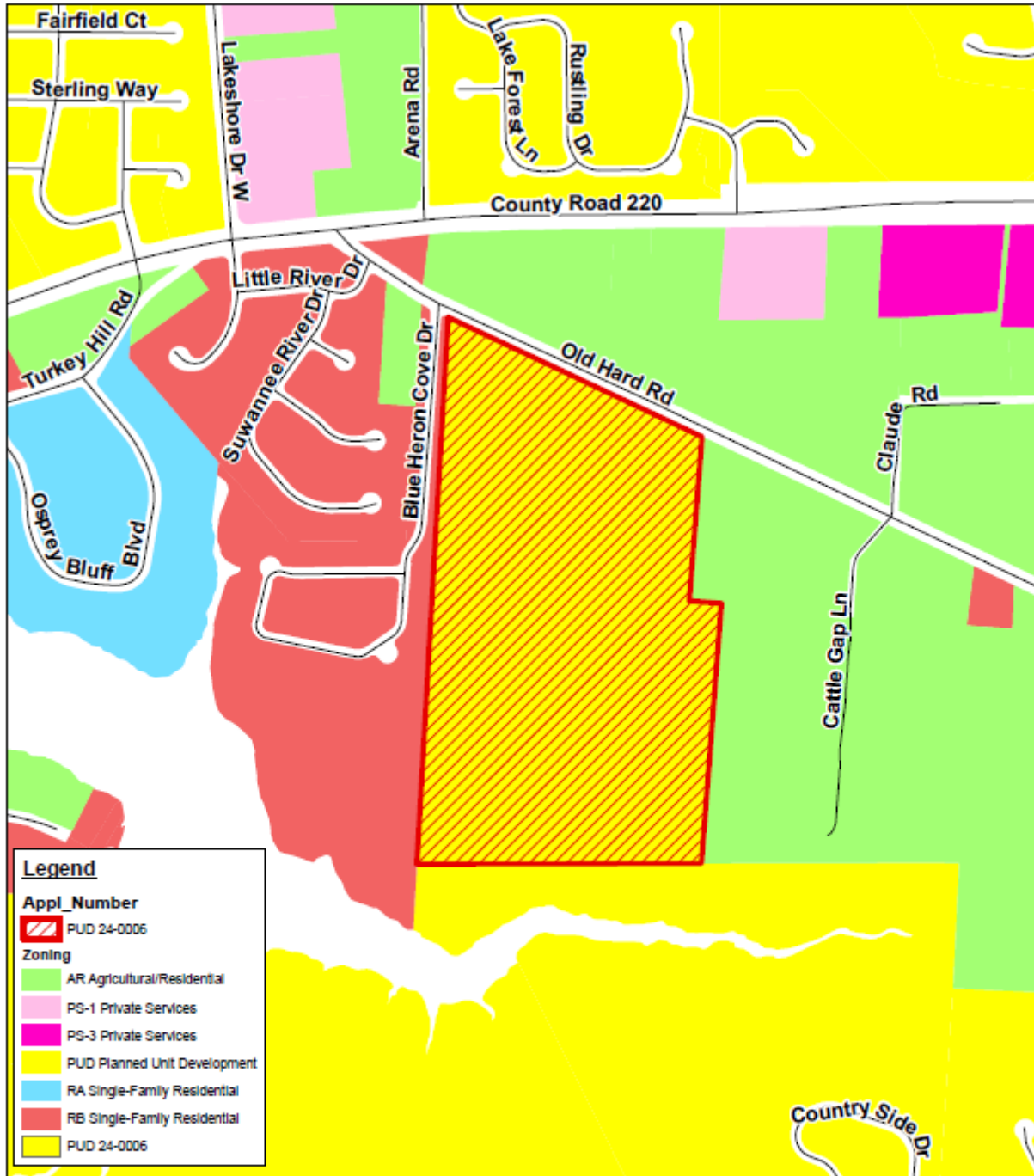
Commence at the Northeast corner of those lands described in Official Records Book 837, Page 467 of the Public Records of said county; thence on the Northeasterly line thereof (also being the Southwesterly line of Old Hard Road), North 64 degrees 21 minutes 20 seconds West, 581.93 feet; thence South 04 degrees 13 minutes 40 seconds West, 895.57 feet to the Point of Beginning; thence continue South 04 degrees 13 minutes 40 seconds West, 1282.65 feet to the South line of said Government Lot 2; thence on said South line, South 89 degrees 26 minutes 40 seconds West, 150.52 feet; thence North 04 degrees 13 minutes 40 seconds East, 1295.33 feet; thence South 85 degrees 43 minutes 23 seconds East, 150.00 feet to the Point of Beginning.

SURVEYOR'S DESCRIPTION

A parcel of land consisting of a portion of Government Lots 1 and 2, together with a portion of the East 1/2 of the Northeast 1/4, all in Section 6, Township 5 South, Range 26 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the Northwest corner of said East 1/2 of the Northeast 1/4 of Section 6; thence on the West line thereof (also being the East line of said Government Lots 1 and 2) run South 04 degrees 13 minutes 40 seconds West, 993.24 feet to the Point of Beginning, in the Southerly right of way line of the Old Doctors Inlet-Green Cove Springs Road, (also known as Old Hard Road); thence continue on said West line of the East 1/2 of the Northeast 1/4, South 04 degrees 13 minutes 40 seconds West, 777.50 feet; thence South 85 degrees 46 minutes 20 seconds East, 114.83 feet; thence South 04 degrees 13 minutes 40 seconds West, 1,133.29 feet to the South line of said East 1/2 of the Northeast 1/4; thence on last said line and then on the South line of said Government Lot 2, South 89 degrees 26 minutes 40 seconds West, 1298.11 feet to the Easterly line of Admirals Inlet, according to the plat thereof as recorded in Plat Book 37, pages 47 through 52 of the public records of said Clay County; thence North 04 degrees 09 minutes 40 seconds East along said Easterly line, 2,482.52 feet to the aforementioned Southerly right of way line of Old Hard Road; thence on last said line South 64 degrees 21 minutes 20 seconds East, 1,269.29 feet to the Point of Beginning, being 62.64 acres, more or less in area.

Exhibit "A-2"



**Proposed Zoning
Rezoning: PUD 24-0006
from AR to PUD**



FLEMING ISLAND PRESERVE PUD

**Written Description
August 30, 2024 (Revised November 14, 2024)**

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. RE #s: 06-05-26-014244-000-00, 06-05-26-014244-003-00, 06-05-26-014244-001-00, 06-05-26-014244-002-00 and 06-05-26-014244-001-01
- B. Current Land Use Designation: Rural Fringe
- C. Current Zoning District: Agriculture Residential
- D. Proposed Zoning District: Planned Unit Development (“PUD”)
- E. The Property satisfies the locational criteria points of Sec. 20.3-10(d)

II. SUMMARY AND PURPOSE OF THE PUD/COMPREHENSIVE PLAN CONSISTENCY

Maronda Homes, LLC of Florida (the “Applicant”) proposes to rezone approximately 62.68 acres of property located on Old Hard Road, just south of CR 220 as more particularly described by the legal description attached to this application as **Exhibit “A”** (the “Property”). The Property is currently zoned AR and is vacant land. The Property is bounded on the north and east by land zoned AR, on the west by land zoned RB and on the south by land zoned PUD. The land use designation for the Property is Rural Fringe allowing for a maximum of three (3) units per net acre since it is located within the Urban Service Area with the required number of points described in Section 20.3-10(d). The Rural Fringe land use category allows for PUD zoning.

As described below, this PUD zoning district is being sought to provide for the development of the Property as a single-family residential subdivision with a mix of home values. This PUD allows for a maximum of 156 units with a maximum height of 35 feet. The PUD Conceptual Site Plan dated November 7, 2024, attached hereto as **Exhibit “B”** (the “Site Plan”) shows the concept of the plan of development utilizing 50’ wide by 120’ deep lots.

This PUD will provide for a transition from the larger lot developments west of the Property to the denser developments in Pine Lake and Fleming Island Plantation. The PUD shall be developed in accordance with this PUD Written Description and the Site Plan subject to the finalization of the actual number of units within the PUD up to the maximum stated above.

III. DESCRIPTION OF DEVELOPMENT

The development of the Property will be similar to the terms of Residential B (RB) with points and central water and sewer under Section 3-17 of the Zoning Code and a land use designation of Rural Fringe as more fully described below:

A. PUD CONCEPTUAL SITE PLAN

The Site Plan shows the proposed PUD layout, including the access points, schematic internal roadway layout, buffers, lot sizes and other features of the proposed development. The

configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan, including the internal circulation, stormwater management facilities and other development features and infrastructure may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the Development Review Committee.

B. PERMITTED USES

1. Permitted Uses and Structures include the following uses:
 - a. Single family homes and accessory structures with a height no greater than the primary structure.
 - b. Amenity/recreation centers, which may include a pool, cabana/clubhouse, meeting rooms, health/exercise facility, sauna, and similar uses.
 - c. Parks, open space, playgrounds, playfields, fire pit/gathering areas, observation and shade pavilions, dog parks, park structures, site furnishings, landscaping, vegetative screens or buffers, fencing, walkways, greenways, nature walks, trails, exercise courses, boardwalks, footbridges, gardens, noncommercial greenhouses and plant nurseries, tool houses, garden sheds, garden work centers, ponds, observation platforms, benches, picnic areas, shelters and informational kiosks, signage, habitat enhancement devices such as birdhouses, duck houses, and bat houses, and other similar uses and structures designed for and used for recreational/open spaces.
 - d. Uses which are adjacent to a lake/wetland may use small pram boats, paddle boats, kayaks, canoes, and similar small, recreational boats on the lake/wetland. Gasoline, diesel and other powered motors are prohibited, except for boats used to maintain the lake/wetland.
 - e. Mail center.
 - f. Live/Work uses, subject to the provisions of the Zoning Code.
 - g. Stormwater, management and flood control improvements, as permitted by the applicable regulatory agencies.
 - h. Essential services, including water, sewer, gas, telephone, radio, cable, television, and electric, meeting the performance standards and development criteria set forth in the Zoning Code.
 - i. Garage sales will be allowed up to a maximum of two garage sales within any calendar year. The duration of each garage sale shall be a maximum of 72 hours and may be conducted only within daylight hours. No sign advertising a garage sale may be placed on any public right-of-way.
 - j. Satellite dish receivers for individual use.

2. Minimum lot width and depth, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures.

a. Minimum Lot width, lot coverage, setbacks and maximum height of structures:

i. *Minimum lot width at building line – 50 feet*

ii. *Minimum lot depth – 120 feet*

iii. *Minimum lot area – 6,000 square feet*

iv. *Maximum lot coverage by all buildings – 60%*

v. *Minimum yard requirements:*

(1) *Front Setback – 20 feet with front facing garage setback at 25 feet*

(2) *Side Setback – 5 feet*

(3) *Rear Setback – 10 feet*

vi. *Minimum Setback from Property Boundary:*

(1) On the west along the boundary with Blue Heron Cove Drive – 15 feet which may include fencing, landscaping and/or screening

(2) On the north along the boundary with Old Hard Road- 20 feet which may include fencing, landscaping and/or screening and tree planting thirty (30) foot on center

(3) On the east along the Property boundary – 15 feet which may include fencing, landscaping and/or screening

(4) On the south boundary – 25 feet from the jurisdictional wetland line

vi. *Maximum height of structure – 35 feet*

b. Patios/porches. Patios and porches, including screened patios/porches with a structural roof, outdoor dining, terraces, courtyards, or similar exterior structures, shall be permitted for each unit and may be located within any required yard subject to the foregoing Minimum Setbacks.

3. Architectural Elevations. The architectural elevations of the homes to be constructed in the development shall not be repeated more frequently than once every third lot on the same side of the street or directly across the street from the same architectural elevation to

ensure design diversity and aesthetic cohesion and variety throughout the development.

C. RECREATION

Recreation space totaling not less than ten percent (10%) of the net acreage for development shall be provided and is shown on the site plan. The recreation space includes the amenities center, trails, open space that may be developed as a dog park or linear park and any pocket parks.

D. ACCESS

Access will be provided along Old Hard Road as shown on the Site Plan with one main entrance and two additional emergency access points over stabilized easements equipped with knock boxes for emergency services. The location and design of the access points on Old Hard Road and internal driveways as shown on the Site Plan may vary prior to development; provided, however, that the final design of the access point(s), potential connection, and internal roads shall be subject to the review and approval of Development Review Committee.

E. LANDSCAPING/BUFFERS

The development will comply with the Tree Planting and Landscaping Standards under Article VI of the Zoning Code (“Landscape Code”) with the following enhancements. Although under the Landscape Code no perimeter buffer around the property is required since the development is adjacent to other single family residential land and only a ten foot buffer is required along Old Hard Road, there shall be installed a 20 foot wide vegetative buffer along the northern, western and eastern boundaries of the development and the 20 foot buffer along Old Hard Road shall include tree plantings every 30 feet on center rather than the lesser requirement of every 50 feet on center under the Landscape Code. The eastern and western 20 foot buffer areas shall consist of a diverse array of native plant species designed to provide effective visual and auditory screening. All buffers shall be designed to achieve a minimum opacity of 60% within three years of planting. The selection of vegetation shall include a mix of shrubs, trees, and ground cover that are indigenous to the region. The design of the buffers shall promote habitat connectivity, enhance regional biodiversity, and comply with all applicable local environmental regulations and guidelines.

F. CONSTRUCTION OFFICES/MODEL HOMES/REAL ESTATE RENTALS.

On-site, temporary construction offices/trailers/model units will be permitted on the Property until that the project is built out. Parking is permitted adjacent to model units.

G. PARKING

Off-street parking will be provided for each lot sufficient to allow at least two (2) vehicles to be parked in the driveway without encroaching on the sidewalk.

H. SIGNAGE

Signage will be provided in accordance with the Sign Regulations of Clay County, Florida

under Article VII, Section 7-28 of the Zoning Code for property within the PUD zoning district.

I. HOMEOWNERS ASSOCIATION

The developer of the Property will create a homeowner’s association that will be responsible for maintenance and repair of the common areas of the development, including the roads and streets within the development, and will be entitled to assess the lot owners for the cost thereof.

IV. JUSTIFICATION FOR THE PUD REZONING.

As described above, this PUD is being requested to permit the development of a residential subdivision with unique characteristics making it more appealing to the market and enhancing the type of housing available in Fleming Island. The Property is within the Rural Fringe land use category which is reserved for land within the existing urban service area and characterized by median density single family detached housing. The Rural Fringe land use category allows for a maximum density of three (3) units per net acre. The planned development is consistent with the land use and will not exceed this density limit. The development of the Property could be considered urban infill. The PUD allows for certain deviations from the Zoning Code to permit the intended development to incorporate standards and lot sizes that are not available under the RB or any other straight zoning category. The PUD design allows for a unique development scheme while ensuring consistency and compatibility with the surrounding zoning and existing uses. The proposed PUD will not create a district that is unrelated to or incompatible with adjacent and nearby districts. Properties in the area are developed as single-family homes on lots of varying sizes, ranging in from a low of 50 feet to over 100 feet in frontage, and the proposed development is not incompatible with these surrounding uses. The buffers provided for in the PUD will screen and provide a separation from the adjacent properties to avoid any adverse effect on them. The most dense straight zoning district is RB which, although allowing for 60 foot lots, requires a minimum lot size of 11, 616 square feet, limits the mix of lot sizes and would fail to provide the price point and lot characteristics sought by today’s home buyers.

V. Names of Development Team

Developer: Maronda Homes, LLC

Development Consultant: Coastland Development Group LLC

Planner/Engineer: Toco Engineering

Architects: N/A



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: April 29, 2024	CAC Meeting Date (if applicable): Oct 16, 2024
Date Rec: 9/15/24	Received By: Laura Hanson
IMS #: PUD 24-0006	

REZONING APPLICATION

Owner's Name: Doris Doreen Partridge	If the property is under more than one ownership please use multiple sheets.
Owner's Address: 60 Old Hard Road	
City: Fleming Island	State: FL
Phone: 904-626-9331	Email: doreen1953@icloud.com
Zip Code: 32003	

Parcel & Rezoning Information

Parcel Identification Number: 06-05-26-014244-002-00 and 06-05-26-014244-001-01		
Address: Old Hard Road		
City: Fleming Island	State: FL	Zip Code: 32003
Number of Acres being Rezoned: 28.79	Current Zoning: AR	Current Land Use: RF
Proposed Zoning: PUD	I am seeking a: Permitted Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/>	
Property Will be Used as:	single family residential subdivision	

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: /s/ Frank E. Miller

Date: 09/06/2024

Printed Name: Frank E. Miller

The rest of this space is intentionally left blank

Clay County Rezoning Agent Authorization Affidavit – Attachment A-1

Date: 7/24/2024

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 Frank E. Miller, of Gunster, Yoakley & Stewart PA

whose address is:

1 Independent Drive Suite 2300 Jacksonville, FL 32202

Phone: (904) 354-1980

Email: FMiller@Gunster.com

to act as agent for rezoning the property located at (address or Parcel ID): 06-05-26-014244-000-00

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.

Diane Partridge Soha

7-31-2014

Signature of Owner:

Date:

Diane Partridge Soha, Diane Land Corporation

Printed Name of Owner:

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

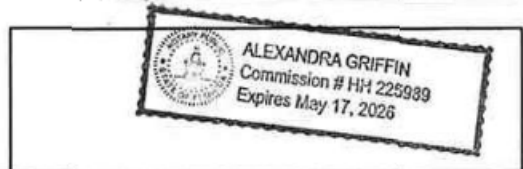
Personally known _____ or produced identification.

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

[Signature]

Signature of Notary

Date:



Clay County Rezoning Property Ownership Affidavit – Attachment A-2

Date: 7/24/2024

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.

Diane Partridge Soha

7-31-2024

Signature of Owner:

Date:

Diane Partridge Soha, Diane Land Corporation

Printed Name of Owner:

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

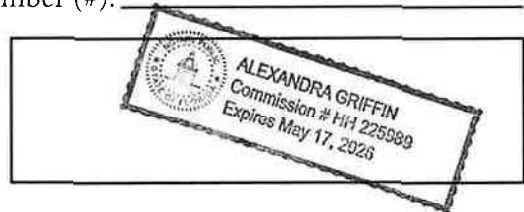
Personally known _____ or produced identification.

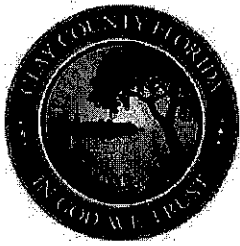
Type of identification produced DL and number (#): _____

AG

Signature of Notary

Date:





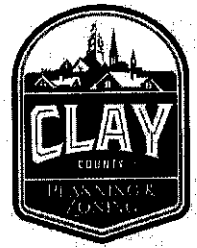
Department of Economic and Development Services

Planning & Zoning Division

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

Phone: (904) 284-6300

www.claycountygov.com



Pre-Application Meeting Date: April 29, 2024	CAC Meeting Date (if applicable): ^{CLD} Oct. 16, 2024
Date Rec: 9/5/24	Received By: Laura Hanson IMS #: PUD 24-0006

REZONING APPLICATION

Owner's Name: Diane Land Corp	If the property is under more than one ownership please use multiple sheets.	
Owner's Address: 60 Old Hard Road		
City: Fleming Island	State: FL	Zip Code: 32003
Phone: 904-219-0980	Email: hsoha@aol.com	

Parcel & Rezoning Information

Parcel Identification Number: 06-05-26-014244-000-00		
Address: Old Hard Road		
City: Fleming Island	State: FL	Zip Code: 32003
Number of Acres being Rezoned: 16.9	Current Zoning: AR	Current Land Use: RF
Proposed Zoning: PUD	I am seeking a: Permitted Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/>	
Property Will be Used as:	single family residential subdivision	

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.

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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: 7/24/2024

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 Frank E. Miller, of Gunster, Yoakley & Stewart PA

whose address is:

1 Independent Drive Suite 2300 Jacksonville, FL 32202

Phone: (904) 354-1980

Email: FMiller@Gunster.com

to act as agent for rezoning the property located at (address or Parcel ID): 06-05-26-014244-002-00

06-05-26-014244-001-01

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.

Doris D Partridge July 30, 2024

Signature of Owner:

Date:

Doris D. Partridge, Trustee of the Doris Doreen Partridge Revocable Trust

Printed Name of Owner:

Sworn to and subscribed before me this 30 day of JULY A.D. 2024

Personally known _____ or produced identification.

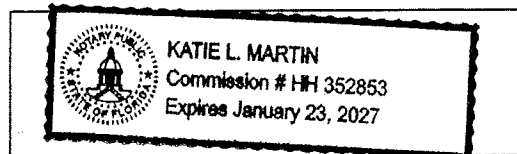
Type of identification produced DL and number (#): _____

KOLAD

7/30/24

Signature of Notary

Date:



Clay County Rezoning Property Ownership Affidavit – Attachment A-2

Date: 7/24/2024

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 32043

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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.

Doris D Partridge July 30, 2024
Signature of Owner: Date:

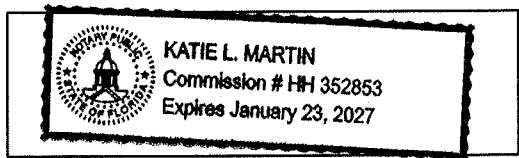
Doris D. Partridge, Trustee of the Doris Doreen Partridge Revocable Trust
Printed Name of Owner:

Sworn to and subscribed before me this 30 day of JULY A.D. 2024

Personally known _____ or produced identification.

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

KOLB 7/30/24
Signature of Notary Date:





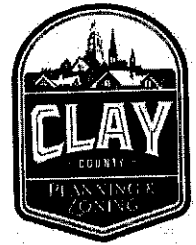
Department of Economic and Development Services

Planning & Zoning Division

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

Phone: (904) 284-6300

www.claycountygov.com



Pre-Application Meeting Date: April 29, 2024	CAC Meeting Date (if applicable): Oct 16, 2024
Date Rec: 9/5/24	Received By: Laura Hanson IMS #: PUD 24-0006

REZONING APPLICATION

Owner's Name: Linda Land Corp	If the property is under more than one ownership please use multiple sheets.	
Owner's Address: 60 Old Hard Road		
City: Fleming Island	State: FL 32003	Zip Code: 32003
Phone: 904-219-9785	Email: lindapwd@gmial.com	

Parcel & Rezoning Information

Parcel Identification Number: 06-05-26-014244-003-00 and 06-05-26-014244-001-00		
Address: Old Hard Road		
City: Fleming Island	State: FL	Zip Code: 32003
Number of Acres being Rezoned: 16.95	Current Zoning: AR	Current Land Use: RF
Proposed Zoning: PUD	I am seeking a: Permitted Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/>	
Property Will be Used as:	single family residential subdivision	

Required Attachments

- Deed Survey Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5
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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: 7/24/2024

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:

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whose address is:

1 Independent Drive Suite 2300 Jacksonville, FL 32202

Phone: (904) 354-1980

Email: FMiller@Gunster.com

to act as agent for rezoning the property located at (address or Parcel ID): 06-05-26-014244-003-00 &

06-05-26-014244-001-00

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.

Linda P. Alderson

July 25, 2024

Signature of Owner:

Date:

Linda P. Alderson, Linda Land Corporation

Printed Name of Owner:

Sworn to and subscribed before me this 25 day of July A.D. 2024

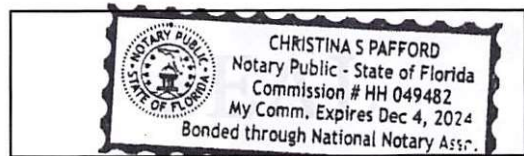
Personally known or produced identification.

Type of identification produced and number (#):

Christina S Pafford

Signature of Notary

Date:



FROM THE DESK OF

Michael A. Burns

September 16, 2024

Clay County Zoning Department
477 Houston Street
Green Cove Springs, FL 32043

Re: Rezoning of Parcel #06-05-26-014244-0002-00 and Contiguous Parcels

Dear Zoning Department Staff,

This letter is to express my opposition to the rezoning of the above referenced parcel / parcels.

This property is sited on the old portion of Old Hard Rd. As such, there are no accommodations for sidewalks or other means to safely provide for pedestrian traffic.

After the opening of the charter school at the corner of Canova Rd. and CR #220 we have experienced a tremendous increase in vehicular traffic which has increased the trips exponentially.

The residents on Old Hard Rd. have expressed our concerns with this condition to our respective county commissioner only to be told that "this is the result of unintended consequences"

With a planned construction of one hundred eighty (180) units and given that there will be two (2) vehicles per unit that would equal three hundred sixty (360) additional trips per day not including background trips.

The Clay County Sheriff's Office is routinely contacted for traffic enforcement on this road as speeds will reach sixty (60) miles per hour with vehicles passing with a double yellow line.

I would submit for your consideration that the requested zoning change is not consistent with the surrounding land use and denying this request would prevent adding to the "Unintended Consequences" that we suffer on a daily basis.

Respectfully submitted,

Michael A. Burns

Laura Hanson

From: Brad Grantham <bradandcinde@gmail.com>
Sent: Friday, September 13, 2024 6:44 PM
To: Clay Zoning
Subject: Housing complex old hard rd

Categories: Laura

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

To whom it may concern

Please please please do not build more houses on old hard road! That area can not handle the traffic with the current situation of traffic at St. John's classical. Old hard road is already a very dangerous road to travel on with the current population.

Respectfully

Sent from my iPhone

From: [Michelle SZAFRANSKI](#)
To: [Michael Brown](#); [Beth Carson](#); [Kellie Henry](#); [Dodie C. Selig](#); lydon.colleen@gmail.com; rhondaleejett71@gmail.com; drmapp@hotmail.com; edenjordan@cbvfl.com; Nicholas_male@outlook.com; mike.cella@gmail.com
Subject: Against Proposed 179 home subdivision off Old Hard Road in Fleming Island
Date: Saturday, September 14, 2024 1:04:34 PM

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

Dear Committee Members and Board Members,

I am urging you to decline the application for a new subdivision off Old Hard Rd in Fleming Island. The purpose of the committee is to "provide for planned and orderly growth while improving the quality of life for County residents". An additional 179 homes with 2 cars/home added to this road will greatly impact the amount of traffic and will certainly not improve our quality of life. It is currently a continual stream of cars on Old Hard and Canova at school start and dismissal times. The residents of these streets cannot even leave their driveway to get to work. Not to mention the traffic hazard at the Old Hard Rd. intersection with County Road 220.

We have enough homes and businesses in Fleming Island. Are we going to make this area so crowded that people don't want to live here any longer thus affecting our home values and livelihood? I am urging the planning and zoning committee members as well as the Fleming Island Citizens Advisory Committee members to vote this down!

Thank you for your consideration,

Michelle Szafranski

FIP CDD Vice Chair and 22 year resident

Laura Hanson

From: Brad Grantham <bradandcinde@gmail.com>
Sent: Friday, September 13, 2024 6:44 PM
To: Clay Zoning
Subject: Housing complex old hard rd

Categories: Laura

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

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Respectfully

Sent from my iPhone



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, December 3 5:00 PM

TO: Planning Commission

DATE: 10/7/2024

FROM: Jenni Bryla, Zoning Chief

SUBJECT:

A. COMP 24-0025

This application is a FLUM Amendment to change 0.05 acres from Commercial (COM) to Rural Residential (RR).

B. ZON 24-0032

This application is a Rezoning to change from Commercial and Professional Office District (BA-2) to Agricultural Residential District (AR).

AGENDA ITEM TYPE:

ATTACHMENTS:

Description	Type	Upload Date	File Name
Staff Report for COMP 24-0024	Cover Memo	11/19/2024	COMP_24-0024-_PC_Staff_Report_-_SS-CPA-DRAFT_jb_bc.pdf
application	Backup Material	11/26/2024	CPA_Form_and_certification_SS_LU_for_0.05_ac_v1ADA.pdf
Applicant narrative	Backup Material	11/26/2024	Proposed_FLUM_Amendment__CR_218_9_30_2024_v1ADA.pdf
Ordinance COMP 24-0024	Backup Material	11/26/2024	COMP_24-0024-_ordinance_finalADA.pdf
Staff Report for ZON 24-0032	Cover Memo	11/18/2024	ZON_24-0032_Staff_Report-_DRAFT_jb_bc.docx
application	Backup Material	11/26/2024	Rezone_0.05_ac_to_RR_Form_and_Certification_v1_(1)ADA.pdf
Ordinance ZON 24-0032	Backup Material	11/26/2024	ZON_24-0032-Ordinance_finalADA.pdf



1 **Staff Report and Recommendations for COMP 24-0024**

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: Mickey Hall	Address: 1477 Rivers Road.
Agent: Susan Fraser (SLF Consulting, Inc.)	Middleburg, FL 32068
Phone: 904-591-8942	
Email: slfraser@bellsouth.net	

7

8 **Property Information**

Parcel ID: (a portion) 36-04-23-000382-001-00	Address: 5400 County Rd 218 (portion)
Current Land Use: COM (Commercial)	Current Zoning: BA-2 (Commercial & Professional Office)
Proposed Land Use: RR (Rural Residential)	Acres 0.05 +/- acres portion of the parcel
Commission District: 4, Comm. Condon	Planning District: Middleburg/Clay Hill

9

10 **Introduction:**

11 This application is a Small-Scale Comprehensive Plan Amendment to the 2040 Future Land Use Map
12 (FLUM). The application would change a very small portion of a single parcel of land from COM
13 (Commercial) to RR (Rural Residential). The Applicant's intent is to add the necessary additional acreage
14 to the tract of land to the Northeast, which has a Future Land Use of Rural Residential (RR).

15

16 The subject parcel is located Northeast of CR 218 extension and within the Clay Hill Overlay; south of the
17 intersection of Mallard Rd and CR 218 extension (Figure 1). Currently a mobile home sits on the land that is
18 to the Northeast of the parcel.

19

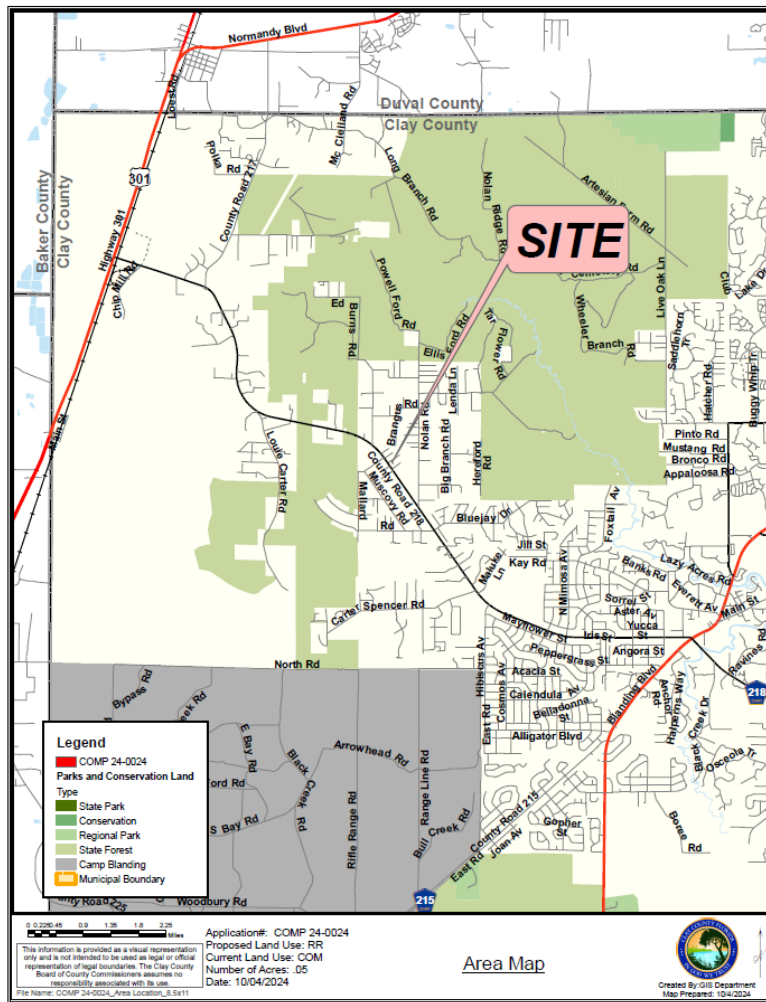
20 This total piece of property was adopted with "split" Land Use when the County adopted the initial
21 Comprehensive Plan in 1991. The southwest portion of the parcel was assigned the Future Land Use of
22 Commercial consistent with the rest of the corridor and a zoning designation of BA-2. The balance of the
23 property was given a designation of Rural Residential Land Use. The current zoning of the northeastern piece
24 of the parcel is Agricultural/ Residential (AR) consistent with the surrounding parcels to the northeast.
25 Unfortunately, the minimum acreage for an AR parcel is one acre. This proposed Land Use Change would
26 add to the northeast portion of the lot and make it compatible with the requirements for AR parcels.
27 Therefore, the mobile home could be replaced with a different residential structure if the Applicant chooses
28 to do so.

29

30 The parcel is also located within the Clay Hill design overlay. The intent of this overlay, is to establish design
 31 standards for the visual and functional development of non-residential zoned property within the Clay Hill
 32 unincorporated area of Clay County, Florida. It is the Clay Hill Community's desire that the commercial
 33 areas in the overlay, retain the rural character by encouraging a "rustic, Florida vernacular or cracker theme
 34 in the design of new commercial or expansion of existing developments. This proposed amendment would
 35 not alter the requirements of the Clay Hill overlay.

36
 37 A companion Rezoning application from BA-2 to AR follows this comprehensive plan amendment.
 38

39 Figure 1 – Location Map



40

Figure 2 – Parcel Map

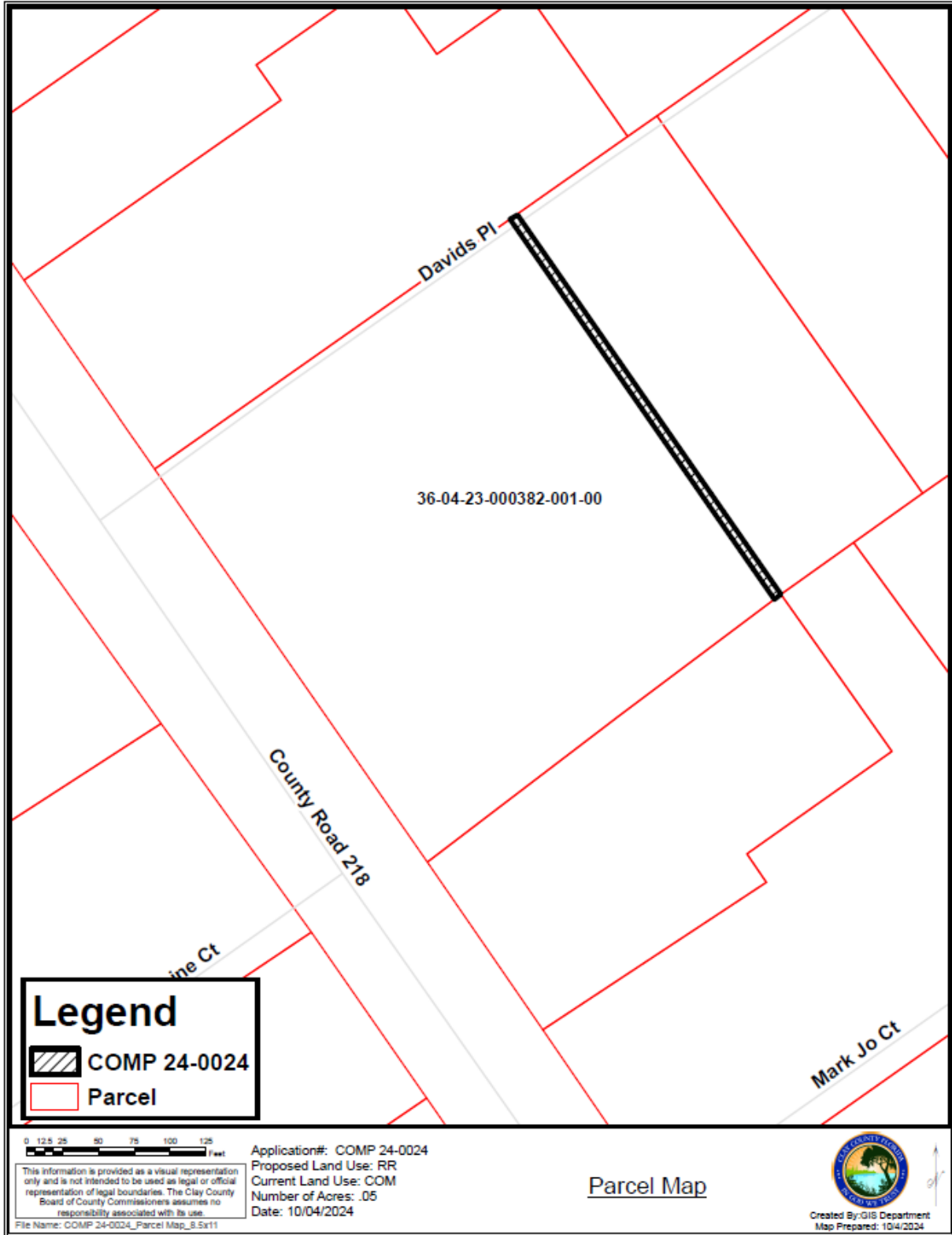


Figure 3 - Aerial Photo



Figure 4 – Existing Future Land Use Designation Map

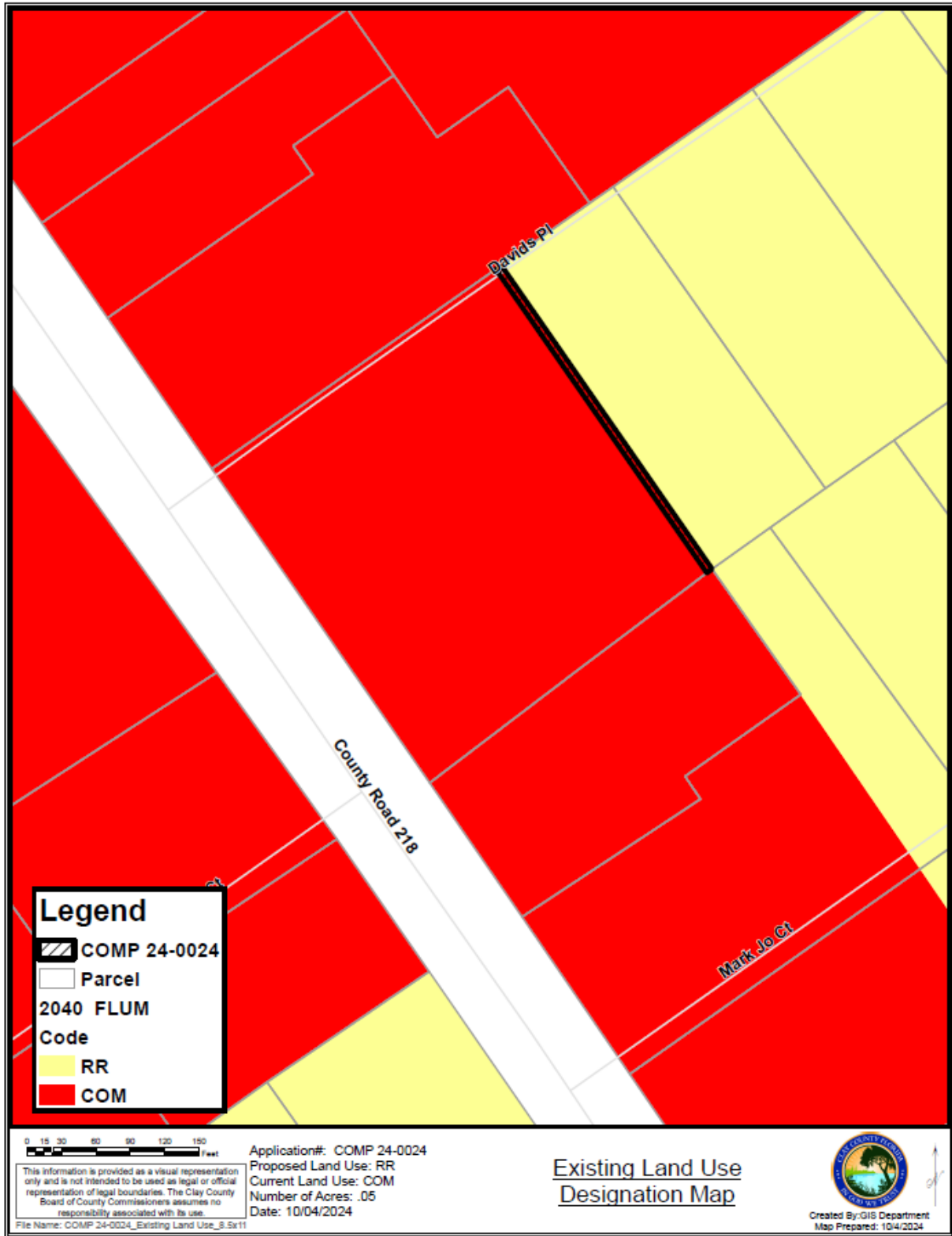


Figure 5 – Proposed Future Land Use Designation Map

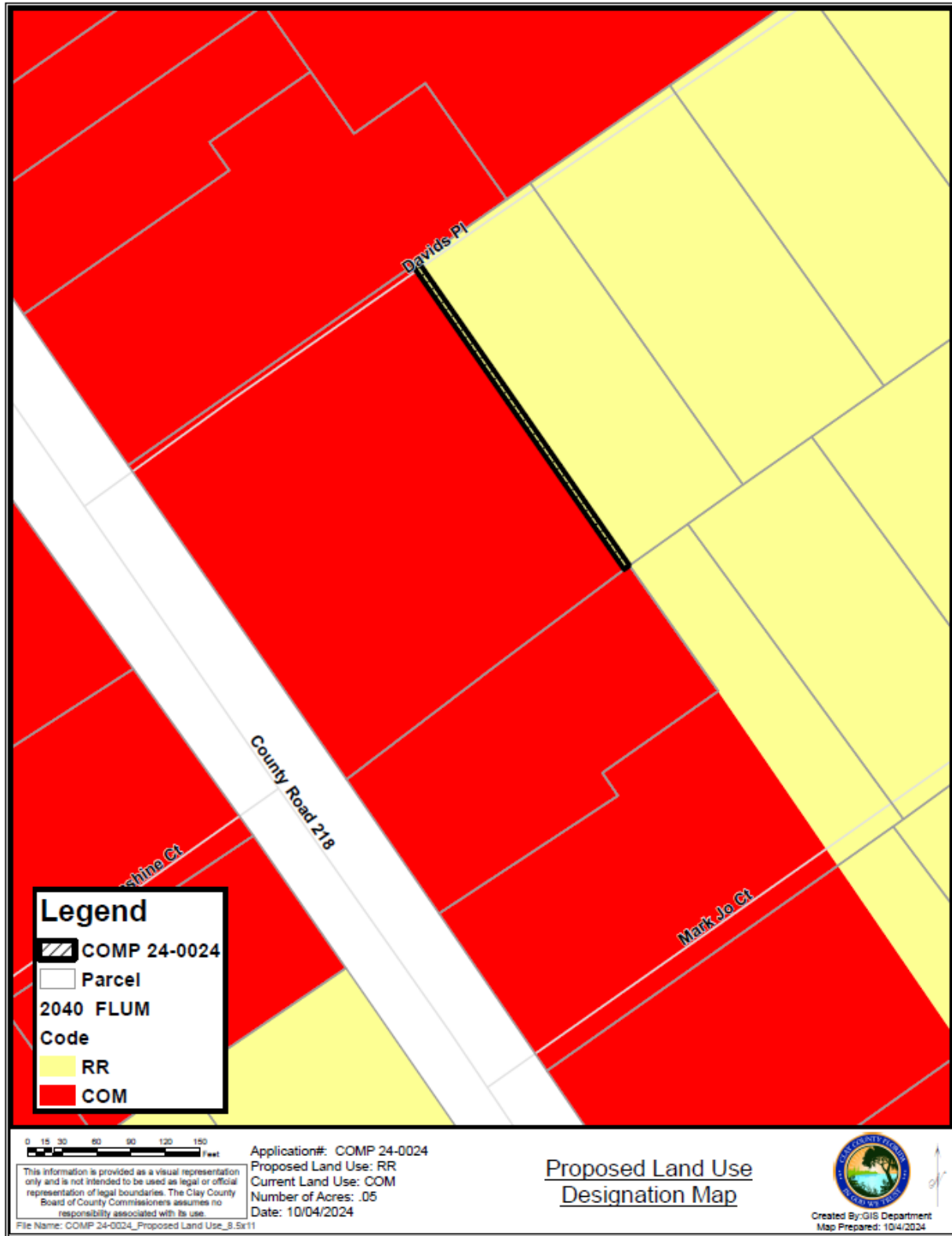


Figure 6 –Zoning Map



51 **Availability of Services**

52 **Traffic Facilities:**

53 The County's Mobility Fee will apply to any new development of this property.

54 **Schools:**

55 There are no additional residential uses associated with this land use change at this time.

56

57 **Recreation:**

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

59

60 **Water and Wastewater:**

61 The property would be served by existing well and septic.

62

63 **Stormwater/Drainage:**

64 Stormwater management for any new construction will need to meet County and St. Johns Water
65 Management District standards.

66 **Solid Waste:**

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

68 **Land Suitability:**

69 **Soils:**

70 See Figure 7.

71 **Flood Plain:**

72 There is a wet pond on the site in the northeast corner of the total lot, the subject parcel however contains no
73 presence of flood plain. There does not appear to be a Flood Plain issues associated with this total parcel.
74 Should there be any, development impacts within any floodplain area on the subject parcel will be required
75 to be mitigated. See Figure 8.

76 **Topography:**

77 The total lot has roughly a five-foot slope from a high point to the west near the CR 218 and the eastern edge
78 of the property. The subject parcel has no significant topography to mention. See Figure 9.

79 **Regionally Significant Habitat:**

80 There has been no significant habitat identified in close proximity to the subject parcel. See Figure 10.

81 **Historic Resources:**

82 There are no historic resource structures on the subject parcel. See Figure 11.

83 **Compatibility with Military Installations:**

84 The subject property is not located near Camp Blanding.

85

Figure 7 – Soil Map

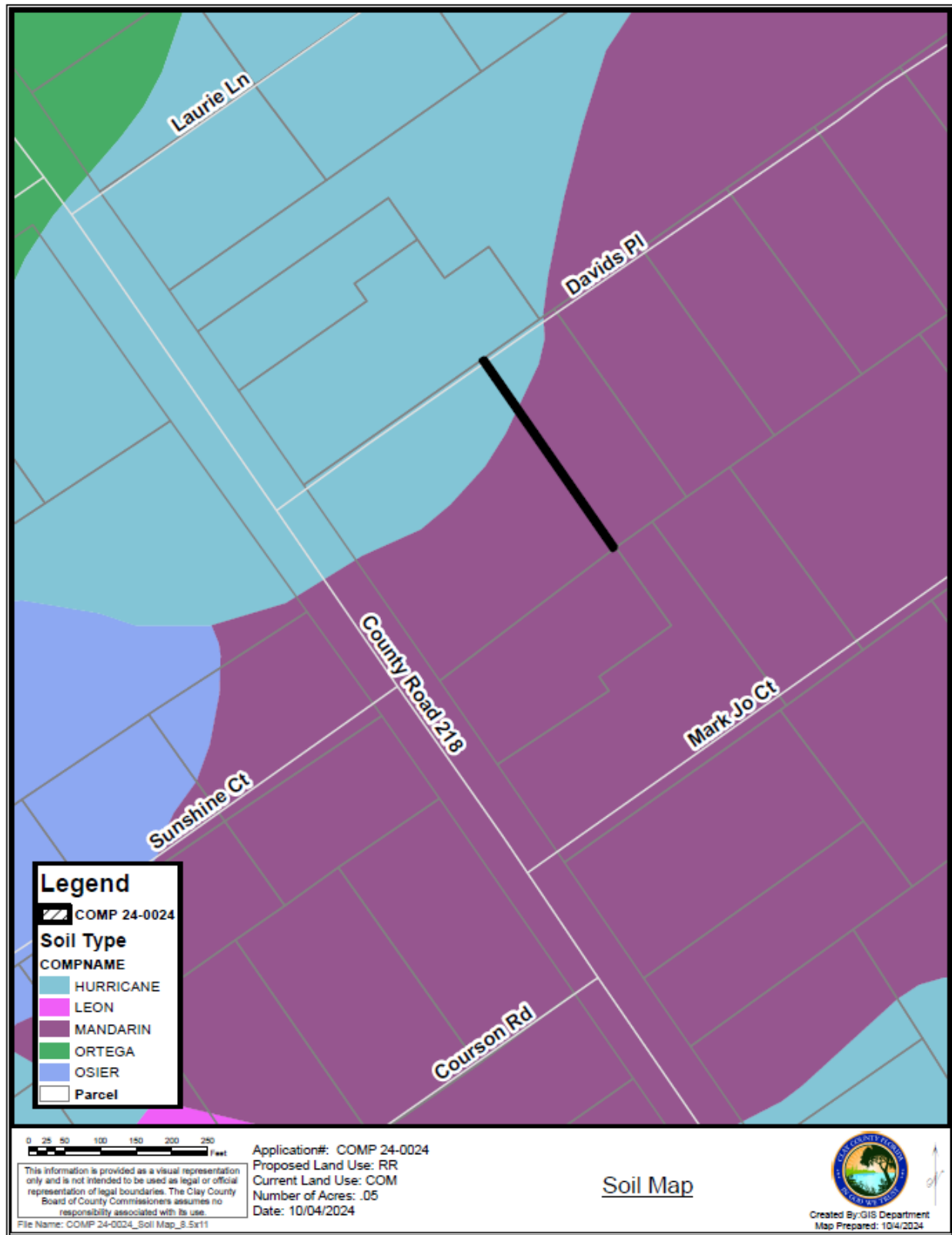


Figure 8 – Flood Zone Map

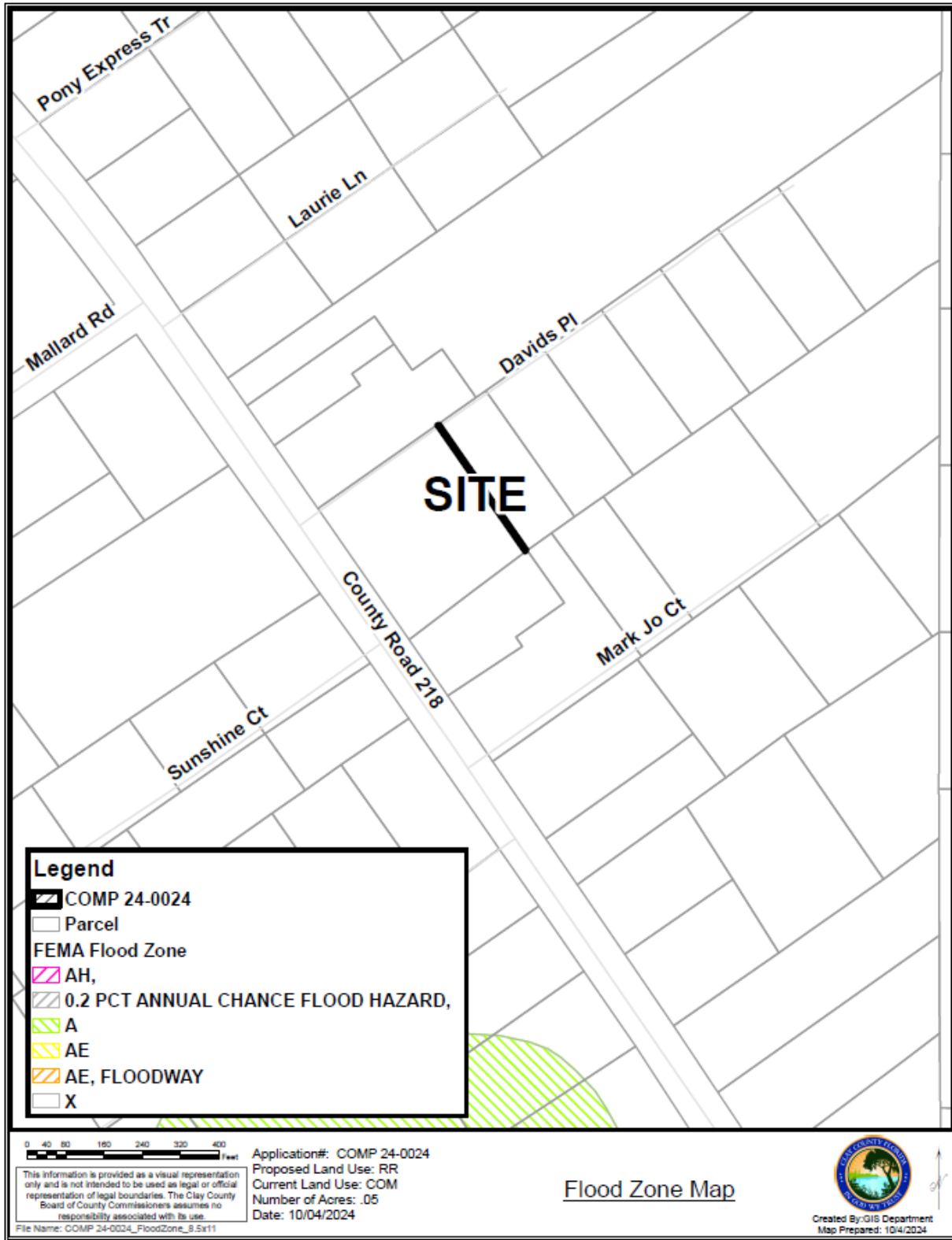


Figure 9 – Topography Map

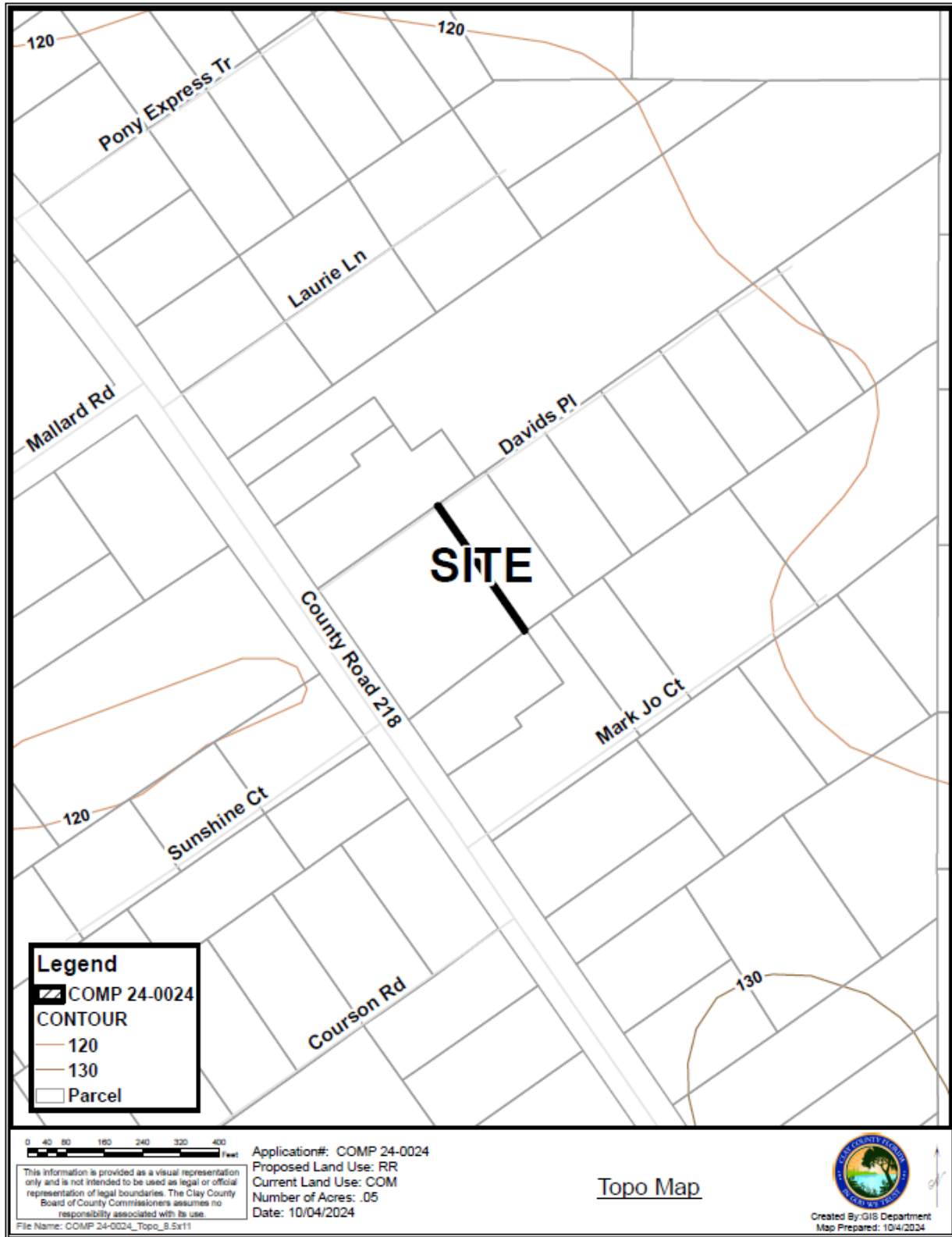


Figure 10 – Habitat Value Map

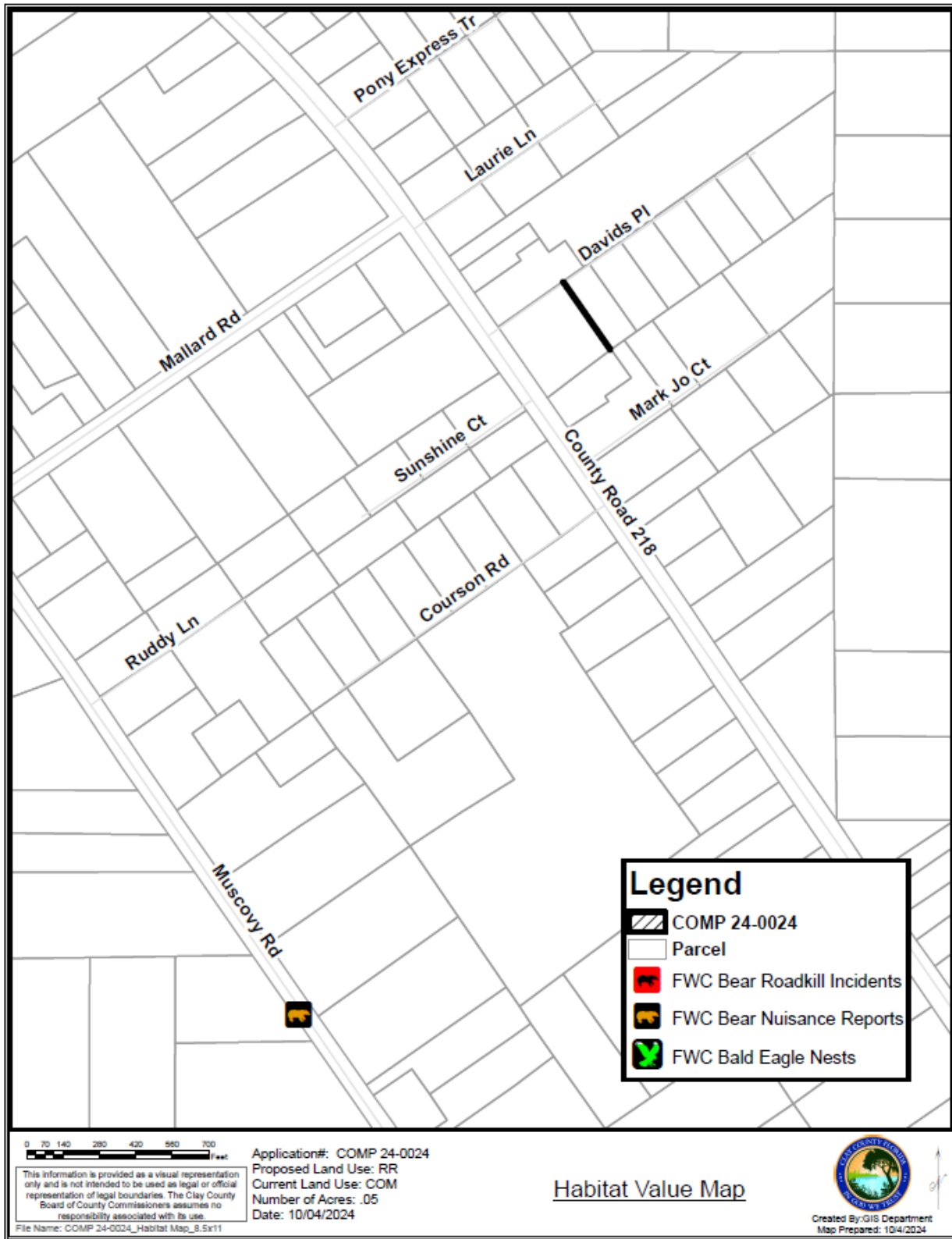
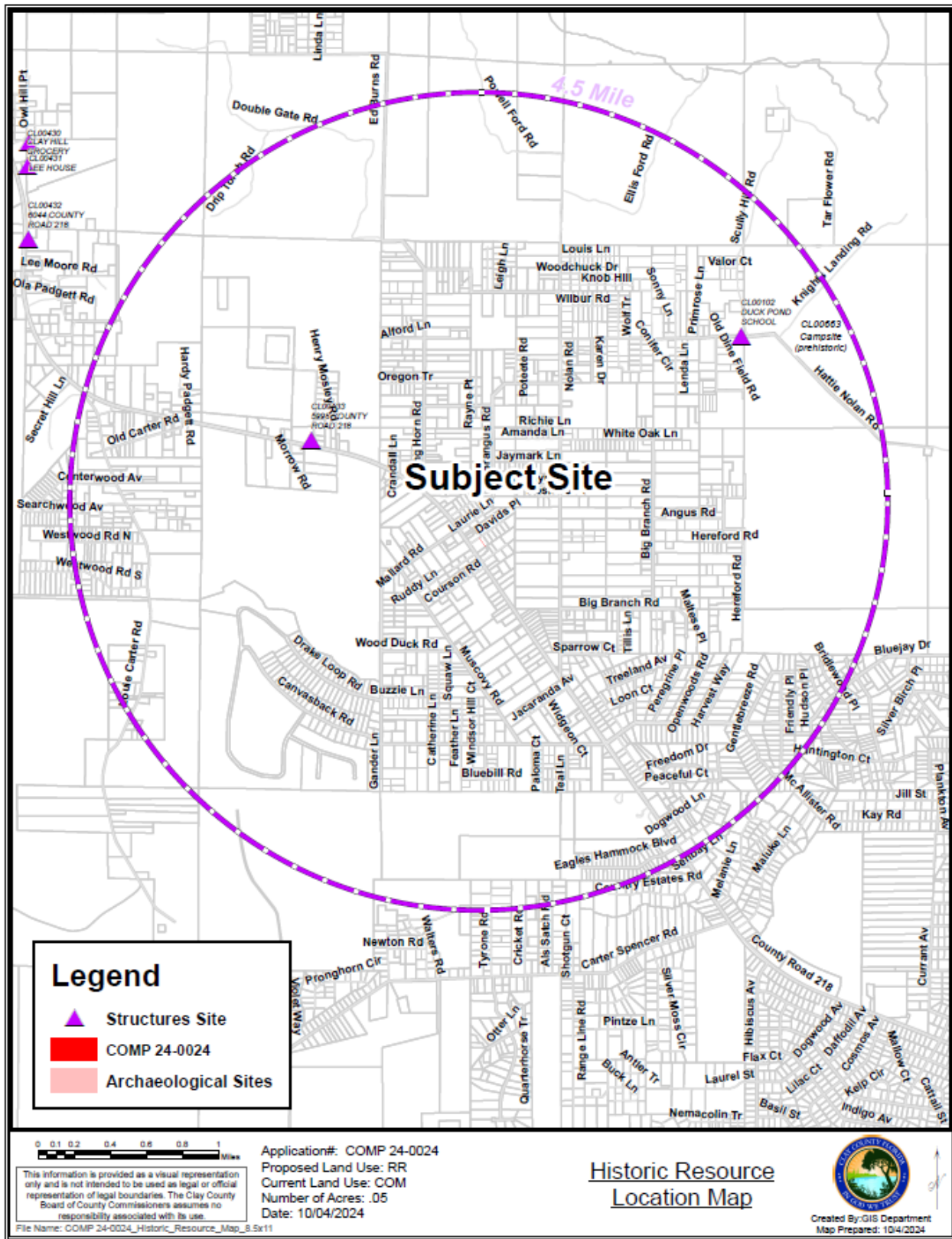


Figure 11 - Historical Resources



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

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

98 FLU Policy 1.4.1.9 Commercial (COM)

99

100 The commercial designation accommodates the full range of sales, service, and office activities.
101 These uses may occur in self-contained shopping centers, free standing structures, campus-like
102 business parks, central business districts, or along arterial highways. These areas are intended for
103 larger scale, more intensive community-type commercial uses.

104

105 The location of commercial development shall be concentrated at major intersections and within
106 Activity Centers and Planned Communities. The development shall create a commercial node,
107 not a strip, with a mixture of retail, office, and hotel uses.

108

109 FLU Policy 1.4.1.3 Rural Residential (RR)

110

111 These areas will serve as a transition between areas with planned urban services,
112 agriculture/residential areas, and environmentally sensitive areas. The new growth in these areas may
113 include central sewer or water systems or other urban level public services if feasible. Rural residential
114 areas will provide a low density residential character.

115

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

122

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

128

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

134 being required to record a plat or otherwise comply with the development standards
135 set forth in the subdivision regulations.
136 i) The parcels must lie within a Residential Aviation Community.
137 ii) The geographical boundary of the community must contain less than 100 parcels.
138 iii) At least 75% of the parcels must be five acres in size or less.
139 iv) All roads providing access to the newly created residential parcels must be paved
140 and privately owned and maintained.
141 v) The total potential number of newly created parcels must not exceed 20% of the
142 total number of parcels within the community. Said lots may not be further
143 subdivided through the heirs and homestead provisions of the Plan
144

145 Analysis Regarding Urban Sprawl

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

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

152 *The proposed amendment will continue to support the commercial property to the west by creating a*
153 *usable residential lot to the east.*

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

156 *The proposed amendment will be able to support a legal residential parcel that currently has utilities.*

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

160 *The proposed amendment creates a mixed-use area that, when developed will complement the Clay Hill*
161 *overlay district.*

162 (IV) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime
163 farmlands and soils.

164 *The proposed amendment will have no impact on agricultural activities in the area.*
165

166

167 **Analysis of Surrounding Uses**

168 The proposed future land use amendment would change a portion (0.05 acres) of the total parcel acreage (3.28
169 acres) from COM(Commercial) to RR (Rural Residential). This change would be in keeping with the land
170 character of the surrounding districts, and the Land Development Code as shown in the table below:

	Future Land Use	Zoning District
North	COM- Commercial	BB (Intermediate Business District)
South	COM- Commercial	BB (Intermediate Business District)
East	RR - Rural Residential	AR (Agricultural/Residential)
West	COM- Commercial	BA-2 (Commercial and Professional Office District)

171

172

173 **Recommendation**

174 Based on the findings in the report, Staff has determined that the request is consistent with the Clay County
175 Comprehensive Plan and recommends approval of small-scale Comprehensive Plan amendment COMP 24-
176 0024.



**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: September 23, 2024		CAC Meeting Date (if applicable):
Date Rec:	Received By:	IMS #:

Amendment to the Comprehensive Plan Application

Owner's Name: Mickey Hall		If the property is under more than one ownership please use multiple sheets.
Owner's Address: 1477 Rivers Road		
City: Green Cove Springs		State: Florida
		Zip Code: 32043
Phone: 904-591-8942 (agent)	Email: slfraser@bellsouth.net (agent)	

Parcel Information

Parcel Identification Number Including Section, Township and Range: 36 04 23 000382-001-00 (portion)		
Address: 5400 CR 218 (portion)		
City: Middleburg		State: FL
		Zip Code: 32068
Current Land Use: COMM	Proposed Land Use: Rural Residential	
Total Acreage: 0.05	Adjacent Land Use North: Rural Residential	
Adjacent Land Use South: Commercial	Adjacent Land Use East: Commercial	
Adjacent Land Use West: Commercial		

Required Attachments

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

Owner(s) / Authorized Agent Signature

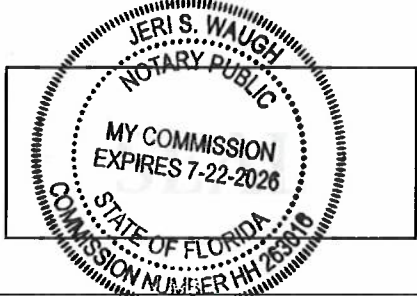
State of Florida

County of Clay

The foregoing affidavit was sworn and subscribed before me this 1ST day of OCT (month), 2024 (year) by MICKET HALL, who is personally known to me or has produced _____ as identification.

[Handwritten Signature]

Notary Signature



**Proposed FLUM Amendment
County Road 218 at Davids Place
2040 Comprehensive Plan**

Requested Amendment

The proposed amendment will change the land use from Commercial to Rural Residential on 0.05 acres (6' x 330') located within Clay Parcel No. 36-04-23-000382-001-00 located at 5400 CR 218, Middleburg.

The future land uses applicable to Parcel 000382-001-00 (the "Parcel") were adopted by Clay County in the initial adoption of its Comprehensive Plan pursuant to the 1985 Growth Management Act in 1991. The southwesterly 300 feet adjacent to CR 218 was assigned a future land use of Commercial and the balance, the northeasterly 126 feet, was assigned a future land use of Rural Residential. The following year the County administratively rezoned the southwesterly 300 feet adjacent to CR 218 to BA-2 and the northeasterly 126' was granted a zoning designation of AG Residential.

In considering a rezoning change to the southwesterly 300 feet of the Parcel it was determined that the northeasterly 126 feet within the RR Land Use and AR Zoning District is 0.95 acres in area; a minimum of 1.0 acre is required in the AG Residential Zoning District to be an Inconsistent Lot of Record pursuant to Section 3-11 (b)2 of the Land Development Regulations. To increase the northerly 126' of the Parcel to meet the criteria for an Inconsistent LOR (there is currently a mobile home on the Parcel in the area designated RR Land Use and AR Zoning) and secure the right for a single residential unit in the future, this FLUM amendment proposes to change six (6) feet of the 300 foot administratively adopted Commercial LU designation applicable to the Parcel from Commercial (the "Amendment Area") to Rural Residential Land Use. With the land use change to Rural Residential and companion rezoning to AR, the resulting residential parcel, at one (1) acre in area, will be an Inconsistent Lot of Record pursuant to Section 3-11 (b)2 of the Land Development Regulations, eligible for a maximum of one (1) dwelling.

Analysis of Impact of Proposed Amendment

Infrastructure Impacts

The proposed change does not increase the impacts to recreation , traffic, solid waste or stormwater infrastructure in the County. The existing residential unit is served by on-site well and septic systems; the proposed change will continue to allow only a single residential unit on the one (1) acre portion of the Parcel.

Site Suitability

The proposed amendment reduces the intensity of use from commercial to residential. There are no wetlands on site. The 0.05 acre Amendment Area is suitable for residential development.

Urban Sprawl

The proposed amendment does not increase the development potential over the existing single dwelling located on the Parcel.

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 # 36-04-23-000382-001-00), TOTALING APPROXIMATELY 0.05 ACRES, FROM COMMERCIAL (COM) TO RURAL RESIDENTIAL (RR); 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 24-0024, submitted by Mickey Hall, 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 # 36-04-23-000382-001-00), totaling approximately 0.05 acres, described in Exhibit “A-1”, and depicted in Exhibit “A-2” is hereby changed from COMMERCIAL (COM) to RURAL RESIDENTIAL (RR).

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 December, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Its Chairman

ATTEST:

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

Exhibit "A-1"

Date: October 3, 2024
Job No. H-24-047 PARCEL LEGAL

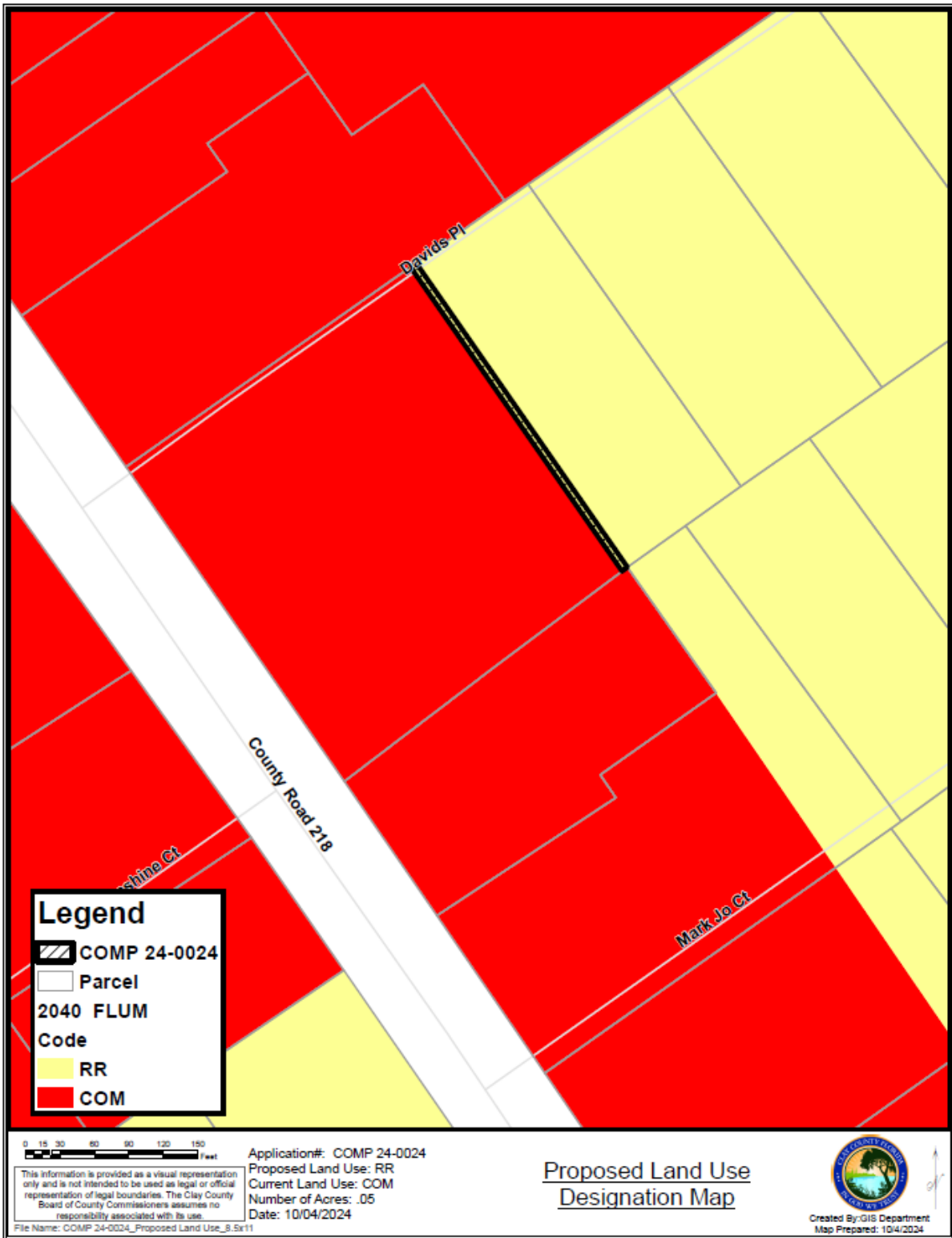
PARCEL B (6.00' of Clay Parcel No. 36-04-23-000382-001-00)

A PARCEL OF LAND SITUATED IN LOT 18, WEST BIG BRANCH UNIT 1, ACCORDING TO AN UNRECORDED MAP, THEREOF PREPARED BY LOUIS H. MCKEE, REGISTERED SURVEYOR, ON JULY 22, 1969, FOR SAN LABRYDO LUMBER COMPANY; BEING A PORTION OF SECTION 36, TOWNSHIP 4 SOUTH, RANGE 25 EAST, CLAY COUNTY FLORIDA: SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 36, THENCE ON THE NORTH LINE THEREOF, RUN SOUTH 89°30'30" WEST 1320.02 FEET TO THE EAST LINE OF SAID WEST BIG BRANCH UNIT 1, THENCE ON SAID LINE SOUTH 0°12'00" EAST 2452.85 FEET, TO THE MOST NORTHERLY CORNER OF SAID LOT 18, THENCE ON THE NORTHWESTERLY LINE OF SAID LOT 18, RUN SOUTH 55°00'40" WEST 1172.96 FEET TO THE NORTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2655, Pg. 2092 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTH 55°00'40" WEST, 126.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 55°00'40" WEST, 6.00 FEET: THENCE RUN SOUTH 34°59'20" EAST, 330.00 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 18, THENCE ON LAST SAID LINE RUN NORTH 55° 00' 40" EAST 6.00 FEET; THENCE NORTH 34°59'20" WEST 330.0 FEET TO THE POINT OF BEGINNING,

ABOVE PARCEL B BEING SUBJECT TO:

AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES ACROSS THE NORTHWESTERLY 20.0 FEET OF THE ABOVE DESCRIBED LANDS.

Exhibit "A-2"





Staff Report for Rezoning Application ZON 24-0032

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

Parcel #: 36-04-23-000382-001-00	Address: 5400 CR 218, Middleburg, FL
Owner: Mickey Hall	Address: 1477 Rivers Road, Middleburg, FL
Agent: Susan Fraser (SLF Consulting, Inc.)	Email: slfraser@bellsouth.net

Property Information (all parcels)

Current Zoning: BA-2 (Commercial & Professional Office District)
Land Use: COM (Commercial)
Zoning Proposed: AR (Agricultural/Residential) **Total Acres:** 0.05 +/-
Commission District: 4 (Commissioner Condon) **Planning District:** Middleburg-Clay Hill

Background

The subject parcel is located Northeast of CR 218 extension and within the Clay Hill Overlay; south of the intersection of Mallard Rd and CR 218 extension. (Figure 2) Currently a mobile home sits on the land that is to the Northeast section of the parcel.

This total piece of property was adopted with “split” zoning when the County adopted the initial Comprehensive Plan in 1991. The southwest portion of the property was assigned a Commercial zoning district and the northeast portion a residential district. This sliver of land fell in the commercial designation, however in doing so, it rendered the northeast portion substandard for a residential lot in this district. The Agricultural/Residential zoning district requires one acre of land in order to erect a residential structure. Adding the approximate 6’ piece of property to the land in the northeast would create an acre and therefore bring the property into compliance with the Land Development Regulations. Therefore, the existing mobile home could then be replaced with a different residential structure if the Applicant chooses to do so.

The zoning and future land use of the parcels surrounding the subject parcel is provided in the table below and are primarily residential to the east and commercial to the west. Existing uses in the area are primarily residential and agricultural.

	FUTURE LAND USE	ZONING
North	COM- Commercial	BB (Intermediate Business District)
East	RR- Rural Residential	AR (Agricultural/Residential) proposed
West	COM- Commercial	BA-2 (Commercial and Professional Office District)
South	COM- Commercial	BB (Intermediate Business District)

41
42
43
44
45

Figure 1 Surrounding Zonings



Existing Zoning
Proposed Rezoning: ZON 24-0032
From BA-2 to AR



Figure 2 Aerial of Site



53 **Proposed AR Zoning District**

54 Sec. 3-13.

55 (a) **Intent.** All land designated as Zone AR is subject to the requirements of this Section as
56 well as the appropriate density and intensity in Sec. 20.3-10. Such uses have been
57 established to provide a transition between agricultural and the more urban
58 residential areas; and to create a rural residential environment wherein natural
59 constraints applicable to development can be recognized and protected in a
60 manner compatible with the needs of the resident.

61 (b) **Uses Permitted**

62 (1) Single-family or mobile home dwelling with their customary accessory uses

63 (2) For lots greater than one (1) acre in size, permitted uses include the non-commercial
64 keeping and raising of horses, cattle, sheep, goats, swine and other similar
65 animals. (amended 2/94 - Ord. 94-03)

66 (3) For lots of one (1) acre or less in size, permitted uses include the non-commercial
67 keeping and raising of horses, cattle, sheep, swine, goats and other similar farm
68 animals; provided, however, that no more than two (2) horses, cattle, sheep,
69 swine, goats and other large farm animals six (6) months of age or older shall be
70 permitted to be raised, grazed, kept or maintained per one-half (1/2) acre of land.
71 No animal pen, stall, stable, or other similar animal enclosure shall be located
72 nearer than fifty (50) feet to the property. (amended 2/94 - Ord. 94-03)

73 (4) Agricultural accessory uses that are customary and incidental to principal
74 agricultural use shall be permitted as follows: (amended 2/95 - Ord. 95-2)

75 (i) Accessory buildings directly incidental to the agricultural pursuits listed
76 above.

77 (ii) Sheds for the storage and repair of the owner's or tenant's farm equipment
78 only, provided the structure does not exceed three thousand (3,000) square feet
79 of gross floor area.

80 (iii) Stand for the sale of products which are raised on the premises.

81 (5) General agricultural pursuits of a variety similar, but not limited to, truck gardens,
82 forestry, crop raising, horticulture, greenhouses, nurseries, groves, apiculture and
83 pisciculture.

84 (6) The sale of said products and commodities which are raised on the premises. Retail
85 roadside sales permitted only from conforming structures on private property.

86 (7) Garage sales will be allowed up to a maximum of two garage sales within any calendar
87 year. The duration of each garage sale shall be a maximum of 72 hours and may
88 be conducted only within daylight hours. No sign advertising a garage sale may be
89 placed on any public right-of-way.

90 (8) Storage of petroleum products.

91 (i) Petroleum used for heating and/or cooking not to exceed 500 gallons.

92 (ii) Gasoline to be used by owner of residence not to exceed 50 gallons.

93 (9) Satellite dish receivers for individual use.

94 (10) The parking of commercial vehicles by the owner of the primary residence with a
95 limit of one (1) per acre and a maximum of two (2) vehicles, may be parked in the
96 rear or side yard, except refrigerated vehicles and vehicles carrying hazardous
97 materials.

98 (11) Private boat pier or slip for the use of occupants of principal residential structures
99 of the lot; provided said pier or slip does not interfere with navigation.

- 100 (c) **Conditional Uses.** The following uses are permitted in the AR zoning district subject to
101 the conditions provided in Section 20.3-5.
- 102 (1) Plant nurseries.
 - 103 (2) Riding academies and riding stables.
 - 104 (3) Home occupations.
 - 105 (4) Bird sanctuaries and rehabilitation centers
 - 106 (5) Swimming pools.
 - 107 (6) Commercial kennels
 - 108 (7) Radio, television, microwave relay stations or towers and accessory equipment
109 buildings. (Ord. 95-53 - 11/28/95)
 - 110 (8) Aviculture (Commercial or Hobbyist).
 - 111 (9) Temporary structures or buildings.
 - 112 (10) Mobile homes for medical hardship.
 - 113 (11) Communication Antennas and Communication Towers, including accessory
114 buildings, tower support and peripheral anchors as governed by the provisions of
115 Section 20.3-46 of the Clay County Land Development Code. (Amended 11/26/96
116 - Ord.96- 58).
 - 117 (12) Public and/or private sewer facilities
 - 118 (13) Private drainage ponds or agricultural livestock ponds.
 - 119 (14) Borrow Pits (amended 2/95 - Ord.95-2)
 - 120 (15) Land Application of Domestic Septage (amended 10/95 - Ord. 95-41) (16)
121 Apiculture (Hobbyist) (Amended 2/25/97 - Ord. 97- 11)
 - 122 (17) Land Clearing Debris Disposal Facility (Amended 6/98 - Ord. 98-27)
 - 123 (18) BMX Track (Bicycle Motocross; Non-motorized) Ord. 00-50 – 9/26/00
 - 124 (19) Bed and Breakfast Inns (Amended 4/01 - Ord. 01-12)
 - 125 (20) Dwelling unit with kitchen addition for parent, grandparent or child (Amended 5/03
126 – Ord. 03-40)
 - 127 (21) Recreational Vehicle parking for temporary use (amended 11/07 – Ord.2007-66).
 - 128 (22) Temporary Living Quarters during construction of a residence (amended 11/07 –
129 Ord.2007-66)
 - 130 (23) Residential Group Homes of six or fewer individuals. *Rev. 01/12/16*
 - 131 (24) Accessory Dwelling Units. *Rev. 05/26/09*
 - 132 (25) Rural Event Centers. *Rev. 02/23/16*
 - 133 (26) Horse Hotels. *Rev 10/27/20*
 - 134 **(d) Uses Not Permitted**
 - 135 (1) Any use not allowed in (b) or (c) above.
 - 136 (2) Any use or activity which would create any obnoxious, corrosive, or offensive noise,
137 gas, odor, smoke, dust, fumes, vibration or light, and which would be detrimental
138 to other surrounding properties or to the welfare and health of the citizens in the
139 area.
 - 140 **(e) Density Requirements.** The maximum densities and minimum lot areas for residential
141 uses in the AR district shall be as follows:
 - 142 (1) Land with a zoning classification of AR and a land use designation of
143 Agricultural/Residential.
144 (i) Residential development not classified as a subdivision pursuant to Ordinance
145 85-68, as amended.
146 *Maximum Density* One (1) unit per ten (10) acre
147 *Minimum Lot Size* Ten (10) acres or 435,600 square feet

- 148 (ii) Subdivision pursuant to Ordinance 85-68, as amended.
 149 *Maximum Density*
 150 With Clustering and Points One (1) unit per five (5) acres
 151 Without Clustering and Points One (1) unit per ten (10) acres .
 152 *Minimum Lot Size*
 153 With Clustering and Points One (1) acre or 43,560 square fee
 154 Without Clustering and Points Nine (9) acres or 392,040 sq. fee
 155 (2) Land with a zoning classification of AR and a land use designation of Rural Residential.
 156 (i) Residential development not classified as a subdivision pursuant to Ordinance
 157 85-68, as amended.
 158 *Maximum Density* One (1) unit per five (5) acres
 159 *Minimum Lot Size* Five (5) acres or 217,800 square fee
 160 (ii) Subdivision pursuant to Ordinance 85-68, as amended.
 161 *Maximum Density*
 162 With Clustering and Points One (1) unit per acre
 163 Without Clustering and Points One (1) unit per five (5) acres
 164 *Minimum Lot Size*
 165 With Clustering and Points 21,780 square fee
 166 Without Clustering and Points Four (4) acres or 174,240 sq. fee
 167 (3) Land with a zoning classification of AR and a land use designation of Rural Fringe.
 168 (i) *Maximum Density*. One (1) unit per acre
 169 *Minimum Density* 43,560 square fee
 170 (4) Land within a zoning classification of AR and a land use designation of Urban Fringe.
 171 (amended 2/94 - Ord. 94-03)
 172 (i) *Maximum Density* Two (2) units per acre
 173 *Maximum Lot Size* 21,780 square fee
 174 (5) Land within a zoning classification of AR and a land designation of Urban Core (10).
 175 (i) *Maximum Density* Two (2) units per acre
 176 *Maximum Lot Size* 21,780 square fee
 177 (6) Land with a zoning classification of AR and a land use designation of Agriculture.
 178 (amended 7/02 - Ord. 02-36)
 179 (i) Residential development not classified as a subdivision pursuant to Ordinance
 180 85-65, as amended.
 181 *Maximum Density* One (1) unit per twenty (20) acres
 182 *Minimum Lot Size* Twenty (20) acres
 183 **(f) Lot and Building Requirements.** The principal buildings and other lot uses shall be so
 184 located as to comply with the following requirements
 185 (1) Minimum Lot Width at Building Line 100 fee
 186 (2) Minimum Lot Depth 100 fee
 187 (3) Minimum Front Setback 30 fee
 188 (4) Minimum Rear Setback 35 fee
 189 (5) Minimum Side Setback 20 feet*
 190
 191 *For waterfront properties along Doctors Lake within the Neilhurst Plat, recorded in Plat
 192 Book 2, pages 44 through 46, the minimum side setback shall be 5 feet.
 193
 194 (6) Minimum Front Yard Setback for Accessory Buildings, 30 feet Excluding Fences
 195 (7) Minimum Rear Yard and Side Setback for Accessory Buildings 7.5 fee

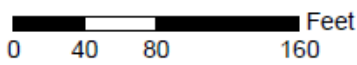
- 196 (8) Minimum Living Area 750 sq. ft (amended 2/95 - Ord. 95-2)
197 (9) All structures shall be set back a minimum of 50 feet landward from the ordinary high
198 water line or mean high water line, whichever is applicable; for waters designated
199 as Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet.
200 These setbacks shall not apply to structures on lots or parcels located landward
201 of existing bulkheads permitted by the St. Johns River Water Management District
202 or Florida Department of Environmental Protection.
203 (10) Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high
204 water line or the mean high water line, whichever is applicable. Lot width shall be
205 measured by the chord terminated by the property corners at the ordinary high
206 water line or the mean high water line as applicable. (amended 5/05 - Ord. 05-
207 18)

208 **Staff Recommendation**

209 This is an Applicant requested rezoning application to change approximately 0.05 acres MOL from
210 BA-2 to AR. Given the presence of existing residential unit on the adjacent piece of land and the
211 substandard nature of that land based on the land development code, the zoning change request
212 appears appropriate.

213
214 This request is consistent with the Goals, Objectives and Policies of the Comprehensive Plan
215 and is compatible with the surrounding zoning and future land use. Staff recommends
216 **approval** of application ZON 24-0032 as shown in Figure 3
217

Figure 3 Proposed Zoning



**Proposed Rezoning: ZON 24-0032
From BA-2 to AR**





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: September 23, 2024		CAC Meeting Date (if applicable):
Date Rec:	Received By:	IMS #:

REZONING APPLICATION

Owner's Name: Mickey Hall		If the property is under more than one ownership please use multiple sheets.
Owner's Address: 1477 Rivers Road		
City: Green Cove Springs	State: Florida	Zip Code: 32043
Phone: 904-591-8942 (agent)	Email: slfraser@bellsouth.net (agent)	

Parcel & Rezoning Information

Parcel Identification Number: 36 04 23 000382-001-00		
Address: 5400 County Road 218		
City: Middleburg	State: FL	Zip Code: 32068
Number of Acres being Rezoned: 0.05	Current Zoning: BA-2	Current Land Use: COMM
Proposed Zoning: AR	I am seeking a: Permitted Use <input checked="" type="checkbox"/> Conditional Use <input checked="" type="checkbox"/>	
Property Will be Used as:	Permitted and Conditional Uses	

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.

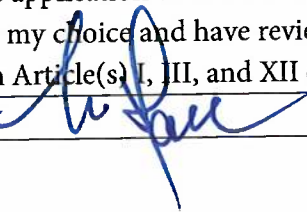
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The Florida Times Union will be publishing your rezoning legal notices. You must pre-pay your legal advertisement fees. An affidavit must be paid before receiving proof of publication. Should a petition be withdrawn, legal advertising already published 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

10 / 24

Printed Name:

Melvin Hall

The rest of this space is intentionally left blank

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY FLORIDA, PURSUANT TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED PURSUANT TO ORDINANCE 93-16, AS AMENDED, PROVIDING FOR THE REZONING OF A PORTION OF A SINGLE PARCEL (TAX PARCEL IDENTIFICATION # 36-04-23-000382-001-00, TOTALING APPROXIMATELY 0.05 ACRES, FROM ITS PRESENT ZONING CLASSIFICATION OF COMMERCIAL & PROFESSIONAL OFFICE DISTRICT (BA-2) TO AGRICULTURAL/RESIDENTIAL DISTRICT (AR); PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application ZON 24-0032 seeks to rezone a portion of a single parcel (tax parcel identification # 36-04-23-000382-001-00) (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 classification of the Property is hereby changed from Commercial and Professional Office District (BA-2) to Agricultural/Residential District (AR).

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

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

Section 5. This Ordinance shall become effective upon the Ordinance adopting the comprehensive plan amendment request in application COMP 24-0024 becoming effective.

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

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Its Chairman

ATTEST:

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

Exhibit "A-1"

Clay Parcel No. 36-04-23-000382-001-00

Date: October 3, 2024
Job No. H-24-047 PARCEL LEGAL

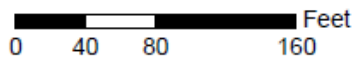
PARCEL B (6.00' of Clay Parcel No. 36-04-23-000382-001-00)

A PARCEL OF LAND SITUATED IN LOT 18, WEST BIG BRANCH UNIT 1, ACCORDING TO AN UNRECORDED MAP, THEREOF PREPARED BY LOUIS H. MCKEE, REGISTERED SURVEYOR, ON JULY 22, 1969, FOR SAN LABRYDO LUMBER COMPANY; BEING A PORTION OF SECTION 36, TOWNSHIP 4 SOUTH, RANGE 25 EAST, CLAY COUNTY FLORIDA: SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 36, THENCE ON THE NORTH LINE THEREOF, RUN SOUTH 89°30'30" WEST 1320.02 FEET TO THE EAST LINE OF SAID WEST BIG BRANCH UNIT 1, THENCE ON SAID LINE SOUTH 0°12'00" EAST 2452.85 FEET, TO THE MOST NORTHERLY CORNER OF SAID LOT 18, THENCE ON THE NORTHWESTERLY LINE OF SAID LOT 18, RUN SOUTH 55°00'40" WEST 1172.96 FEET TO THE NORTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2655, Pg. 2092 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTH 55°00'40" WEST, 126.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 55°00'40" WEST, 6.00 FEET: THENCE RUN SOUTH 34°59'20" EAST, 330.00 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 18, THENCE ON LAST SAID LINE RUN NORTH 55° 00' 40" EAST 6.00 FEET; THENCE NORTH 34°59'20" WEST 330.0 FEET TO THE POINT OF BEGINNING,

ABOVE PARCEL B BEING SUBJECT TO:

AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES ACROSS THE NORTHWESTERLY 20.0 FEET OF THE ABOVE DESCRIBED LANDS.

Exhibit "A-2"



**Proposed Rezoning: ZON 24-0032
From BA-2 to AR**





Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, December 3 5:00 PM

TO: Planning Commission

DATE: 10/3/2024

FROM: Jenni Bryla, Zoning Chief

SUBJECT: This application is a rezoning to change 2.23 acres from Commercial and Professional Office District (BA-2) to Community Business District (BB-2).

AGENDA ITEM TYPE:

Is Funding Required (Yes/No): If Yes, Was the item budgeted (Yes/No/N/A):

Sole Source (Yes/No): Advanced Payment (Yes/No):
Yes **Yes**

ATTACHMENTS:

Description	Type	Upload Date	File Name
▢ Staff Report for ZON 24 - 0031	Cover Memo	11/26/2024	ZON_24-0031_Staff_Report-_DRAFT_jb_bc1ADA.pdf
▢ application	Backup Material	11/26/2024	BB-2_Application___Certification_v1ADA.pdf
▢ Ordinance 24-0031	Ordinance	11/26/2024	ZON_24-0031_Ordinance_finalADA.pdf



1 **Staff Report for Rezoning Application ZON 24-0031**

2
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**

Parcel #: 36-04-23-000382-001-00	Address: 5400 CR 218, Middleburg, FL
Owner: Mickey Hall	Address: 1477 Rivers Road, Middleburg, FL
Agent: Susan Fraser (SLF Consulting, Inc.)	Email: slfraser@bellsouth.net

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

10 **Current Zoning:** BA-2 (Commercial & Professional Office District) and AR
 11 (Agricultural/Residential)
 12 **Land Use:** COM (Commercial) and RR (Rural Residential)
 13 **Zoning Proposed:** BB-2 (Community Business District) **Total Acres:** 2.23 of the 3.23 acres
 14 **Commission District:** 4 (Commissioner Condon) **Planning District:** Middleburg-Clay Hill

15
16
17 **Background**

18 The Applicant is requesting to change the zoning district of the 2.23 acre portion of the
19 subject parcel, located Northeast of CR 218 extension and within the Clay Hill Overlay; south
20 of the intersection of Mallard Rd and CR 218 extension. (Figure 2) Currently a mobile home
21 sits on the land that is to the Northeast section of the parcel, designated for residential.

22
23 This total piece of property was adopted with “split” zoning when the County adopted the
24 initial Comprehensive Plan in 1991. The Southwest portion of the property was assigned a
25 Commercial zoning district and the Northeast portion a residential district. The commercial
26 portion of the parcel is currently in the BA-2 zoning district, which allows for a variety of
27 office and professional uses limited to 2,500 sf per building. The surrounding properties are
28 zoned either BB, BA or BA-2, there is currently no BB-2 zoning district in the area. The BB-2
29 zoning district allows for a variety of uses similar to those permitted in the BB zoning district.
30 However, BB-2 also allows for a convenience store with gas pumps as well as health clubs
31 that the BB zoning district does not permit. The Land Development Code does not allow for
32 properties to re-zone to the BB district any longer.

33
34 The property is also within the Clay Hill overlay which has design standards for non-
35 residential zoned properties. The result would be any structure that was developed on the
36 property regardless of use would have to incorporate the vernacular style outlined in the
37 Overlay. Currently the BA-2 zoning district limits non-residential buildings to 2,500 sf;
38 typically, the Florida Vernacular style is indicative of smaller structures made of wood with
39 natural elements. Although the Clay Hill overlay does allow provide options for larger

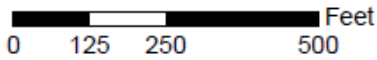
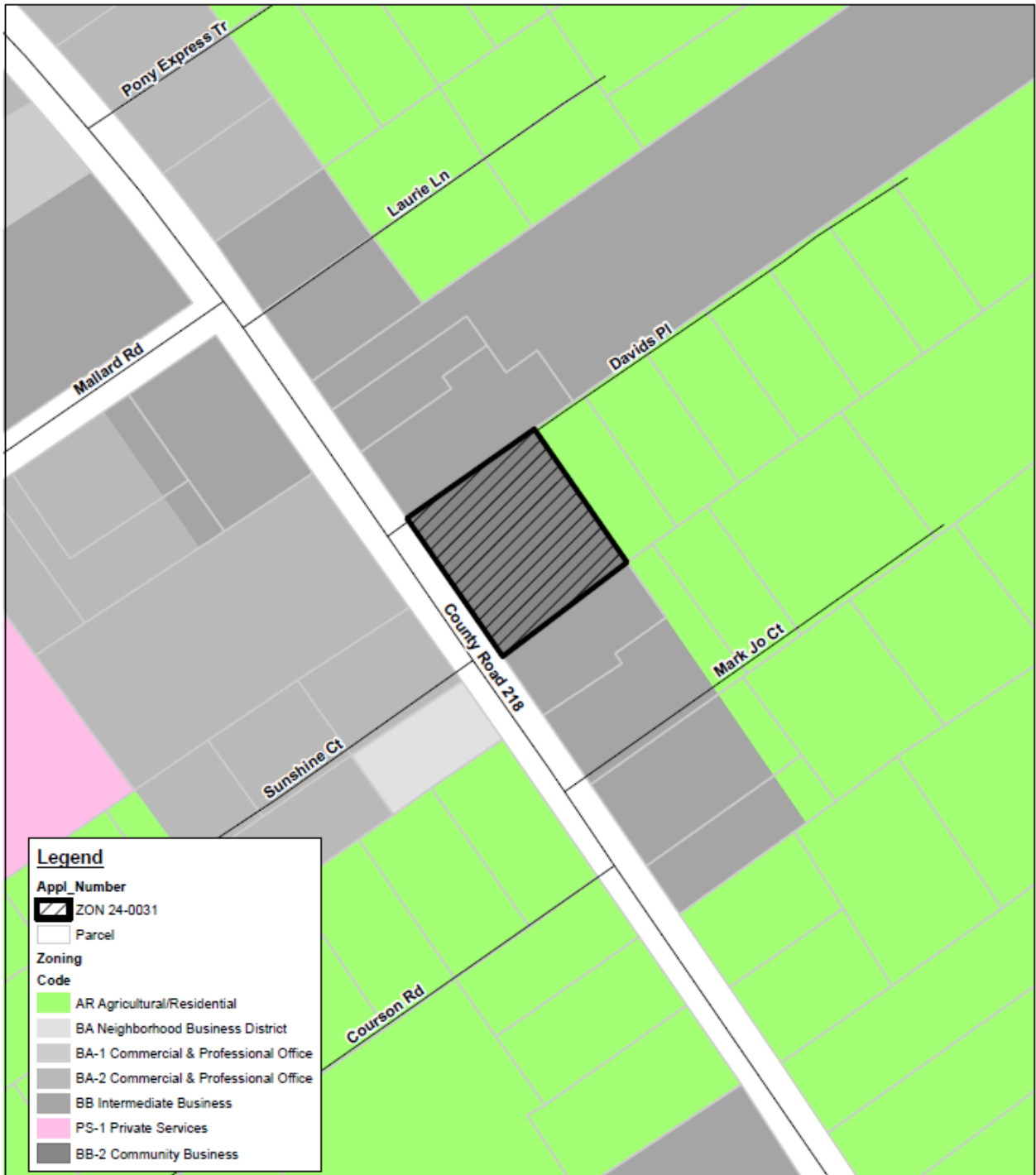
40 structures, in doing so, that amount of exterior treatments increase, in order to ensure the
41 aesthetic standard is met.

42
43 The zoning and future land use of the parcels surrounding the subject parcel is provided in
44 the table below and are primarily residential to the east and industrial to the west. Existing
45 uses in the area are primarily residential and agricultural.
46

	ZONING	FUTURE LAND USE
North	AR - Agricultural/Residential	RR – Rural Residential
East	BB - Intermediate Business District	COM - Commercial
West	BB - Intermediate Business District	COM - Commercial
South (Across SR 218)	BA-2 – Commercial and Professional Office	COM - Commercial

47
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49
50
51

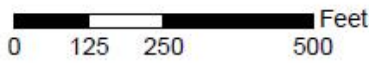
52 Surrounding Zonings



**Proposed Rezoning: ZON 24-0031
From BA-2 to BB-2**



53
54



Aerial Map
Proposed Rezoning: ZON 24-0031
From BA-2 to BB-2



58 **Proposed BB-2 Zoning District**

59 (a) *Area.* All lands designated as Zone BB-2 are subject to the regulations of this Section
60 and Sec. 20.3-10. Such areas are established to provide for the shopping and limited
61 service and recreational needs of several neighborhoods, a community, or a
62 substantial land area. Retail stores are intended to include general merchandise,
63 fashion, durable goods, and personal service. A site plan shall be submitted to the
64 Development Review Committee for review and approval prior to obtaining a
65 building permit for all uses within this District.

66 (b) *Uses Permitted*

67 (1) All uses permitted in Sec. 20.3-24.

68 (2) Appliance sales and services; automotive parts; automobile rental; business
69 machine sales and services; convenience store with the sale of gasoline;
70 department store; drug store; fruit and vegetables (inside building.); furniture
71 store; grocery store; hardware store (no outside display); heating, ventilation, and
72 air conditioning (indoor only, no outside storage); medical supply; retail meat
73 markets; and health spa and window tinting and stereo installation (indoor only)
74 (amended 1/07).

75 (3) Adult entertainment establishments and sexually oriented businesses as
76 defined in the Adult Entertainment Regulations established under Chapter 2.3 of
77 the Clay County Code, subject to the provisions of Sec. 3-48.

78 (c) *Conditional Uses.* The following uses are permitted in the BB-2 zoning district subject
79 to the conditions provided in Section 20.3-5.

80 (1) Mini-warehouses

81 (2) Public assembly

82 (3) Sales from vehicles

83 (4) Radio, television, microwave relay stations or towers and accessory equipment
84 buildings.

85 (5) Residential dwelling

86 (6) Communication Antennas and Communication Towers, including accessory
87 buildings, tower support and peripheral anchors as governed by the provisions of
88 Section 20.3-46 of the Clay County Land Development Code.

89 (7) Land Clearing Debris Disposal Facility

90 (8) Indoor Skating Rinks and Indoor Skate Parks (amended 07/06, ord. 2006-38)

91 (9) Recreation Vehicle and Boat Storage *Rev. 04/22/08*

92 (10) Day Care Centers.

93 (11) Medical Marijuana Treatment Center Dispensing Facility

94 (d) *Uses Not Permitted*

95 (1) Any use not allowed in (b) or (c) above.

96 (2) Any use which would create any obnoxious, corrosive or offensive noise, gas,
97 odor, smoke, dust, fumes, vibration or light, and which would be detrimental to
98 other surrounding properties or to the welfare and health of the citizens in the area.

99 (e) *Lot and Building Requirements.* The principal building(s), accessory structures and
100 other uses shall be located so as to comply with the following minimum
101 requirements.

102 (1) Side Lot Setbacks:

103 (i) Side lot setbacks on property which abuts residential or agricultural
104 districts shall be not less than twenty-five (25) feet from side property lines.

105 If said lot is a corner lot, then setbacks should be the same as the front
106 setback.
107 (ii) Where the adjoining lot is also zoned for business, the building may be
108 placed up to the side lot line, providing the building is constructed in
109 accordance with the regulations of the applicable Building Code; in all other
110 construction, the minimum side setback shall be fifteen (15) feet.
111 (2) Rear lot line setbacks shall not be less than twenty (20) feet from rear property
112 line, or not less than twenty-five (25) feet when adjacent to multi-family and single-
113 family residences. If the rear yard does not abut a public street, then access over
114 private property shall be provided. Access shall be not less than fifteen (15) feet in
115 width, and shall be unobstructed at all times.
116 (3) Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance
117 82-45, as amended, and shall in no case be less than twenty-five feet from front
118 property line.
119 (4) All structures shall be set back a minimum of 50 feet landward from the
120 ordinary high water line or mean high water line, whichever is applicable; for
121 waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback
122 will be 100 feet. These setbacks shall not apply to structures on lots or parcels
123 located landward of existing bulkheads permitted by the St. Johns River Water
124 Management District or Florida Department of Environmental Protection.
125 (5) Where a business district is adjacent to a lot line of property of a residential or
126 agricultural classification, no materials, garbage containers or refuse shall be
127 allowed nearer than thirty (30) feet to such a residential or agricultural district.
128 Garbage or refuse shall be containerized and such containers shall be enclosed or
129 screened so as not to be readily visible.
130 (6) *Lighting.* Artificial lighting used to illuminate the premises and/or advertising
131 copy shall be directed away from adjacent residential or agricultural districts.
132 (7) *Density Requirements.* The maximum density of development of land with a
133 BB-2 zoning classification shall correspond to an FAR of forty (40) percent.
134 (8) No outside amplification of sound shall be permitted which can be heard off-
135 site
136 (9) *Visual Barrier.* Proposed non-residential development shall be buffered from
137 adjacent land within the residential land use categories identified in Section 20.3-8
138 with a ten (10) foot landscaped area, minimum six (6) foot high opaque barrier
139 (fence or vegetation) and tree planting thirty (30) feet on center. For all
140 development commenced on or after January 28, 2003, the provisions of this
141 subsection shall not apply. For developments that commence after this date, the
142 provisions of Article VI of the Clay County Land Development Code (the Tree
143 Protection and Landscaping Standards) will apply. (*Rev. 02/08/11*). d. 05-18)

145 **Staff Recommendation**

146
147 This is an Applicant requested rezoning application to change 2.23 acres from BA-2 to BB-2.
148 Due to the intent provided in the Clay Hill Overlay District Design Guidelines which state that
149 the intent of the overlay is to retain the rural character and encourage the “rustic Florida
150 vernacular or cracker theme” Staff has the opinion that smaller, unobtrusive non-residential

151 structures are more appropriate and therefore the existing BA-2 zoning is consistent with
152 the area and the adjacent zoning categories.

153

154 This request is consistent with the Goals, Objectives and Policies of the Comprehensive Plan
155 but is incompatible with the surrounding zoning and the Clay Hill overlay. The Applicant has
156 no end user in mind for the property and therefore, Staff recommends denial of application
157 ZON 24-0031.

158



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



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Proposed Zoning: BB-2	I am seeking a: Permitted Use <input checked="" type="checkbox"/> Conditional Use <input checked="" type="checkbox"/>	
Property Will be Used as:	Permitted and Conditional Uses	

Required Attachments

<input checked="" type="checkbox"/> Deed	<input checked="" type="checkbox"/> Survey	<input type="checkbox"/> Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5
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<input type="checkbox"/> Supplemental Development Questions if Rezoning to PUD PCD PID Attachment A-4		

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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, II, and XII of the Clay County Code.

Owner's Signature: 	Date: 10/1/24	Printed Name: M. CREEY HALL
--	---------------	-----------------------------

The rest of this space is intentionally left blank

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY FLORIDA, PURSUANT TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED PURSUANT TO ORDINANCE 93-16, AS AMENDED, PROVIDING FOR THE REZONING OF A PORTION OF A SINGLE PARCEL (TAX PARCEL IDENTIFICATION # 36-04-23-000382-001-00), TOTALING APPROXIMATELY 2.23 ACRES, FROM ITS PRESENT ZONING CLASSIFICATION OF COMMERCIAL AND PROFESSIONAL OFFICE DISTRICT (BA-2) TO COMMUNITY BUSINESS DISTRICT (BB-2) ; PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application ZON 24-0031 seeks to rezone a portion of a single parcel (tax parcel identification # 36-04-23-000382-001-00) (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 classification of the Property is hereby changed from Commercial and Professional Office District (BA-2) to Community Business District (BB-2).

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

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

Exhibit "A-1"

Clay Parcel No. 36-04-23-000382-001-00

Date: October 3, 2024

Job No. H-24-047 PARCEL LEGAL

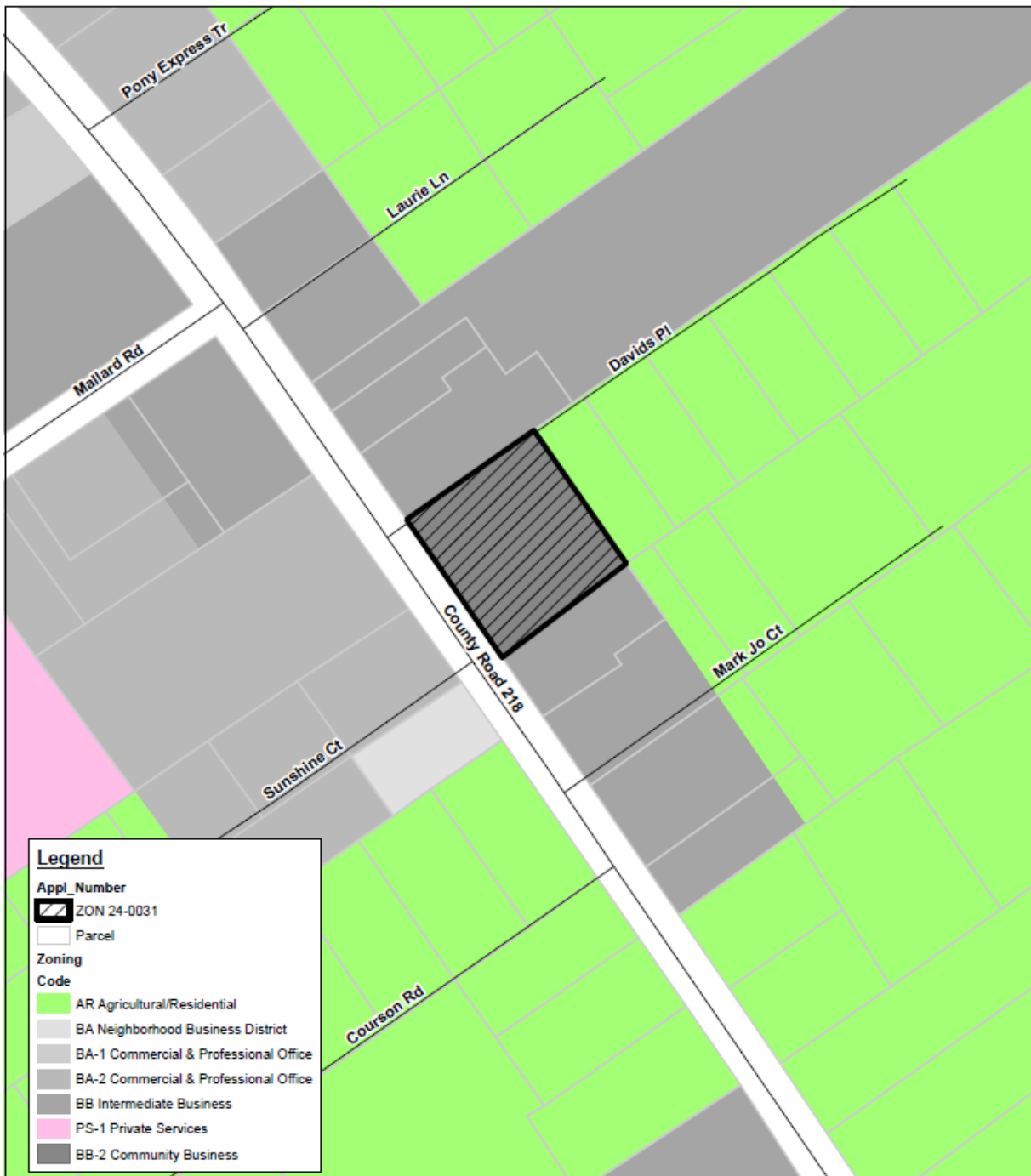
PARCEL A (294.0' of Clay Parcel No. 36-04-23-000382-001-00)

A PARCEL OF LAND SITUATED IN LOT 18, WEST BIG BRANCH UNIT 1, ACCORDING TO AN UNRECORDED MAP, THEREOF PREPARED BY LOUIS H. MCKEE, REGISTERED SURVEYOR, ON JULY 22, 1969, FOR SAN LABRYDO LUMBER COMPANY; BEING A PORTION OF SECTION 36, TOWNSHIP 4 SOUTH, RANGE 25 EAST, CLAY COUNTY FLORIDA: SAID PARCEL BEING THE SOUTHWESTERLY 294.0 FEET OF SAID LOT 18, LYING PERPENDICULAR TO AND ADJACENT WITH THE RIGHT OF WAY OF COUNTY ROAD 218 WEST AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 36, THENCE ON THE NORTH LINE THEREOF, RUN SOUTH 89°30'30" WEST 1320.02 FEET TO THE EAST LINE OF SAID WEST BIG BRANCH UNIT 1, THENCE ON SAID LINE SOUTH 0°12'00" EAST 2452.85 FEET, TO THE MOST NORTHERLY CORNER OF SAID LOT 18, THENCE ON THE NORTHWESTERLY LINE OF SAID LOT 18, RUN SOUTH 55°00'40" WEST 1172.96 FEET TO THE NORTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2655, Pg. 2092 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTH 55°00'40" WEST, 132.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 55°00'40" WEST, 294.0 FEET TO THE NORTHEASTERLY LINE OF COUNTY ROAD 218 WEST (FORMERLY STATE ROAD NO. 218), THEN ON LAST SAID LINE RUN SOUTH 34°59'20" EAST, 330.00 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 18, THENCE ON LAST SAID LINE RUN NORTH 55° 00' 40" EAST 294.0 FEET; THENCE NORTH 34°59'20" WEST 330.0 FEET TO THE POINT OF BEGINNING.

ABOVE PARCEL A BEING SUBJECT TO:

AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES ACROSS THE NORTHWESTERLY 20.0 FEET OF THE ABOVE DESCRIBED LANDS.

Exhibit "A-2"



0 125 250 500 Feet

**Proposed Rezoning: ZON 24-0031
From BA-2 to BB-2**





Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, December 3 5:00 PM

TO: Planning Commission

DATE: 11/21/2024

FROM: Dodie Selig, AICP, Chief
Planner

SUBJECT:

A. COMP 24-0026

This application is a FLUM Amendment to change 7.77 acres from Rural Residential (RR) to Industrial Park (IP).

B. PUD 24-0008

This application is a Rezoning to change from Country Estates District (AR-1) to Planned Industrial Development District (PID).

AGENDA ITEM TYPE:

ATTACHMENTS:

Description	Type	Upload Date	File Name
▢ COMP 24-0026 - Staff Report	Cover Memo	11/26/2024	Staff_Report_-_COMP_24-0026ADA.pdf
▢ COMP 24-0026 - Ordinance	Cover Memo	11/26/2024	Ordinance_-_COMP_24-0026ADA.pdf
▢ PUD 24-0008 Staff Report	Cover Memo	11/26/2024	Staff_Report_-_PUD_24-0008_Goat_RoadADA.pdf
▢ PUD 24-0008 - Ordinance	Ordinance	11/26/2024	Ordinance_-_PUD_24-0008_Goat_RdADA.pdf



1 **Staff Report and Recommendations for COMP 24-0026**

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: Patrick V. O’Neill

Address: 1045 Lake Asbury Drive

Agent: Janis Fleet

Green Cove Springs, FL 32043

Phone: 904-476-3220

Email: jfleet@fleetarchitectsplanners.net

Owner: PBP Homes Inc.

Address: 12917 Fort Caroline Rd.

Agent: Janis Fleet

Jacksonville, FL 32225

Phone: 904-476-3220

Email: jfleet@fleetarchitectsplanners.net

7

8 **Property Information**

Parcel ID: 35-05-24-006699-874-00, 35-05-24-006699-875-00, 35-05-24-006699-876-00, 35-05-24-006699-877-00, 35-05-24-006699-878-00, 35-05-24-006699-879-00

Address: Blanding Blvd & Goat Road

Current Land Use: Rural Residential (RR)

Current Zoning: Country Estates District (AR-1)

Proposed Land Use: Industrial Park (IP)

Acres: 7.77 +/-

Commission District: 4, Comm. Condon

Planning District: Middleburg- Clay Hill

9

10 **Introduction:**

11 This application is a Small-Scale Comprehensive Plan Amendment to change the future land use designation
12 of six (6) parcels of land from Rural Residential (RR) to Industrial Park (IP). The property owners desire
13 to build a “flex space” project with 5 buildings, shared parking and storm water retention. Uses allowed would
14 include retail, office and warehouse. The owners do not have specific end use tenants at this time.

15

16 The subject parcels are located on the east side of Blanding Boulevard, just north of CR 215 and across from
17 Rosemary Street. Four of the six parcels were platted around a short cul-de-sac road named Goat Road which
18 was never built. The parcels are undeveloped land which has been extensively clear cut within the last year.

19

20 A companion Rezoning application from Country Estates District (AR-1) to Planned Industrial Development
21 (PID) follows this comprehensive plan amendment.

Figure 1 – Location Map

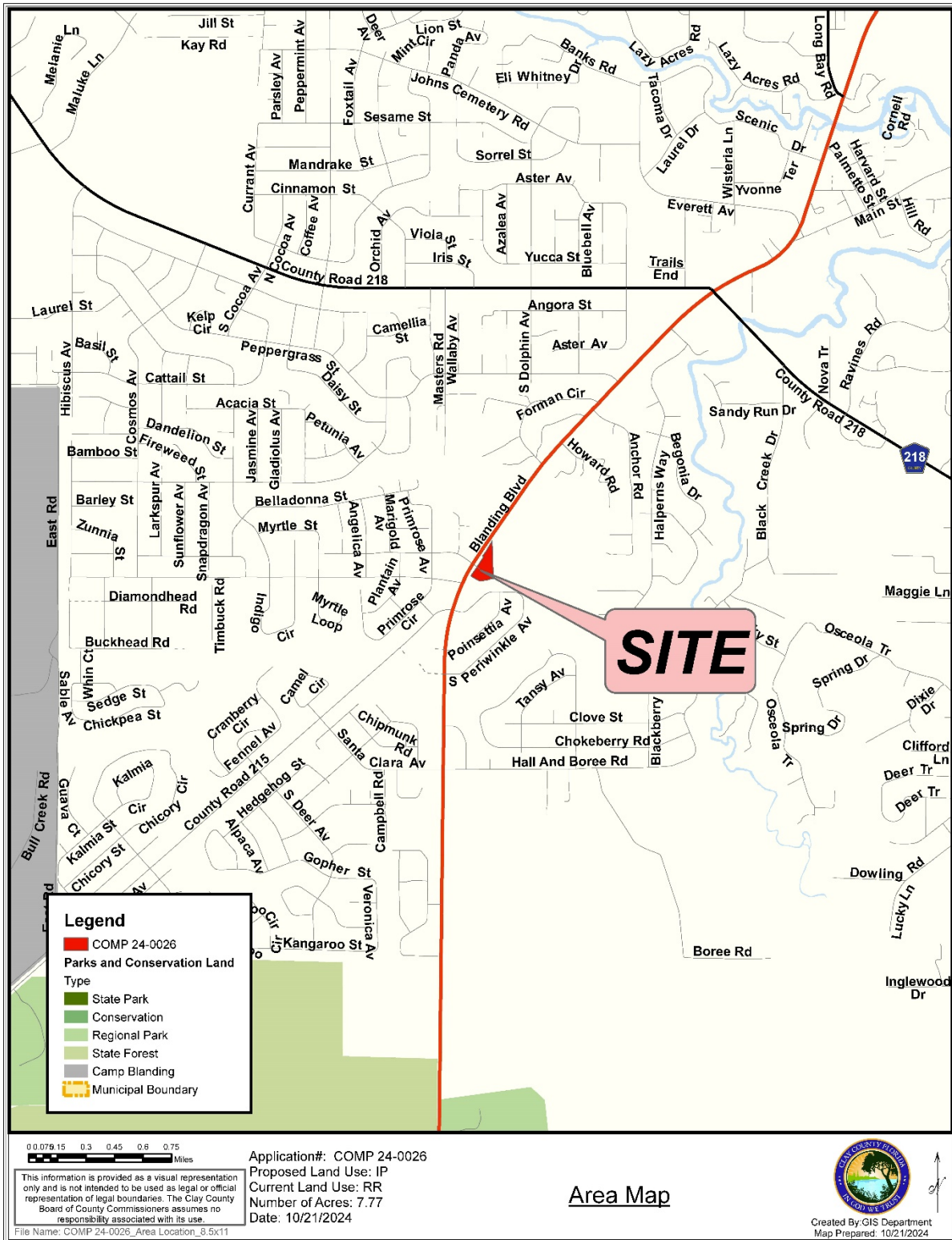


Figure 2 – Parcel Map

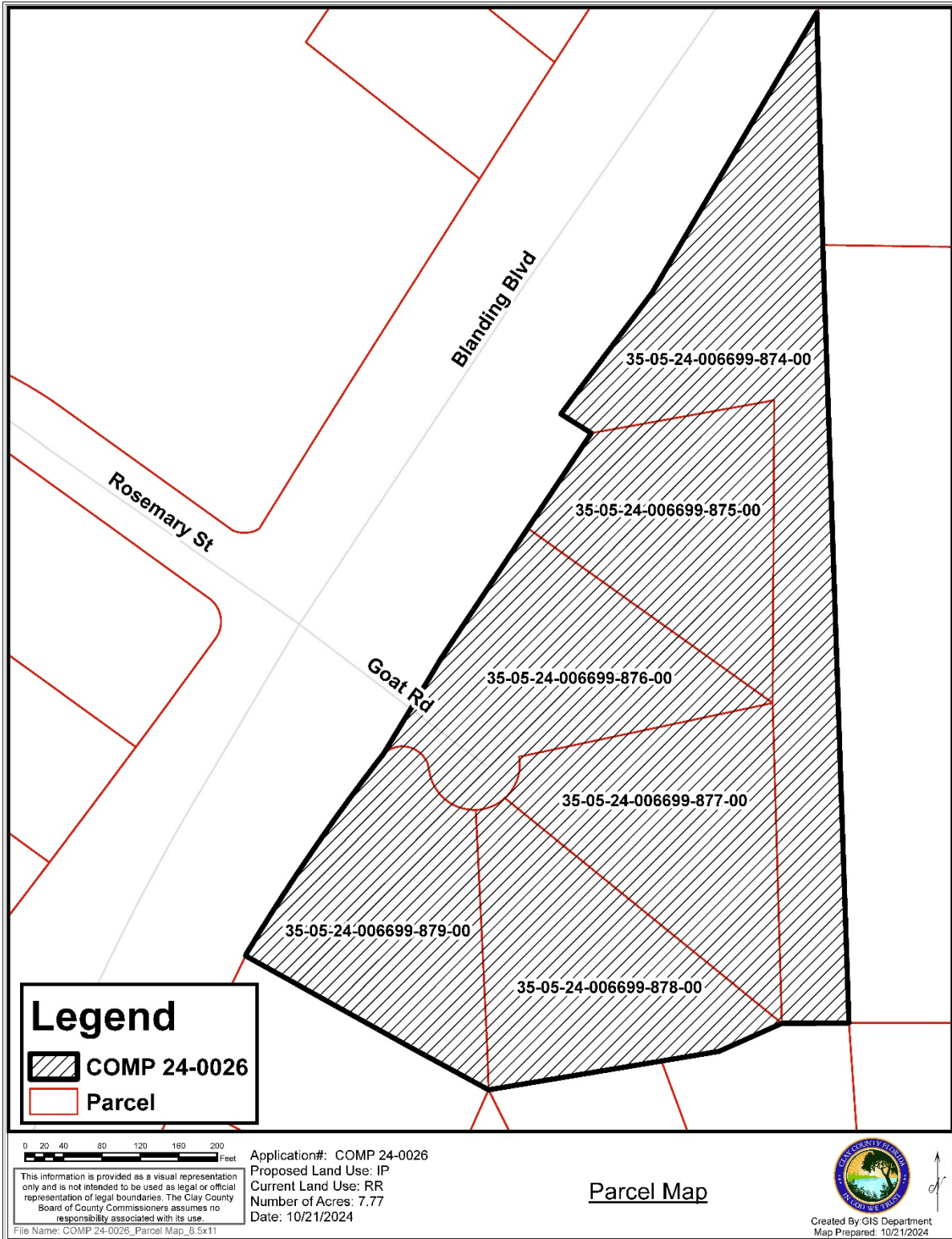


Figure 3 - Aerial Photo



Figure 4 – Existing Future Land Use Designation Map

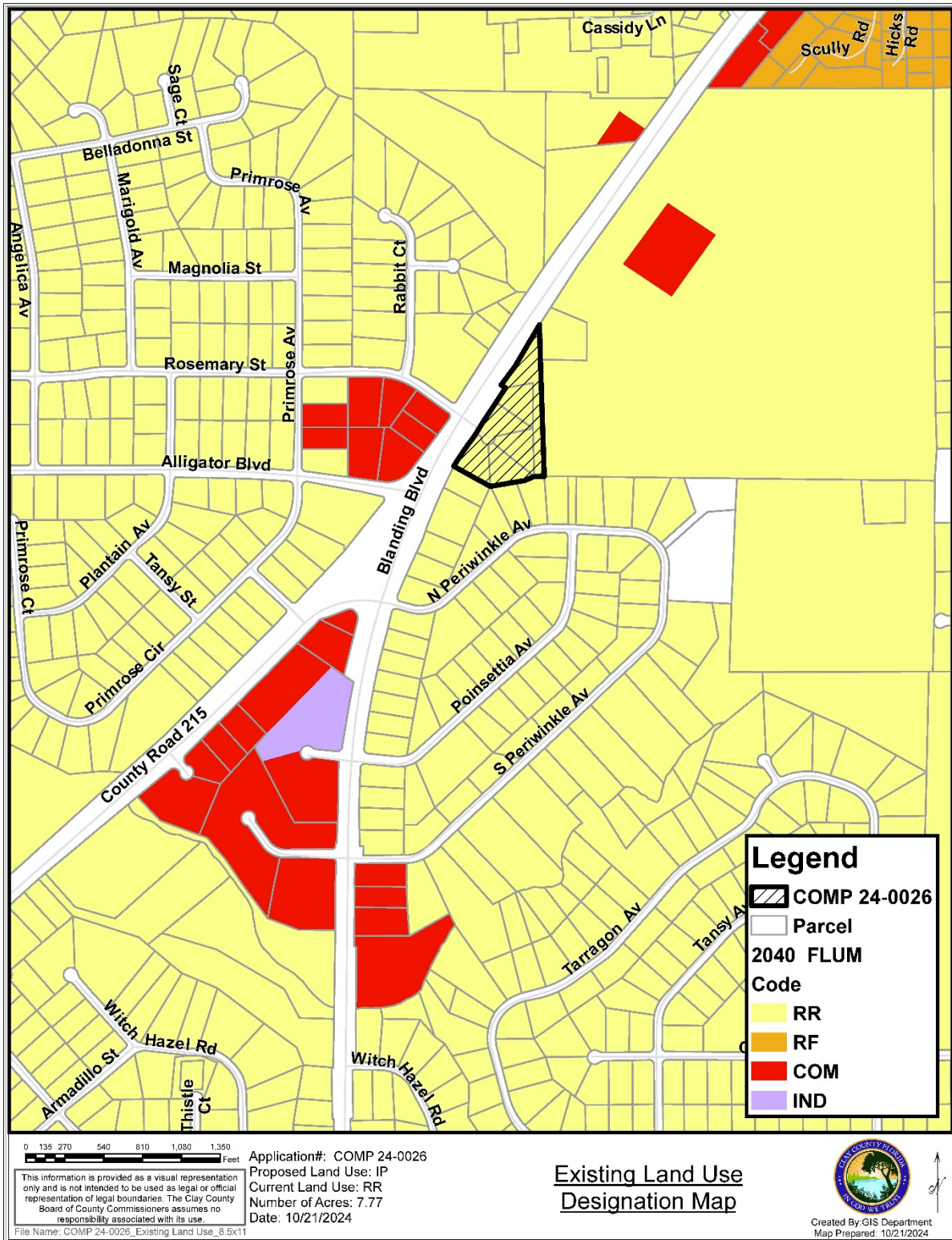


Figure 5 – Proposed Future Land Use Designation Map

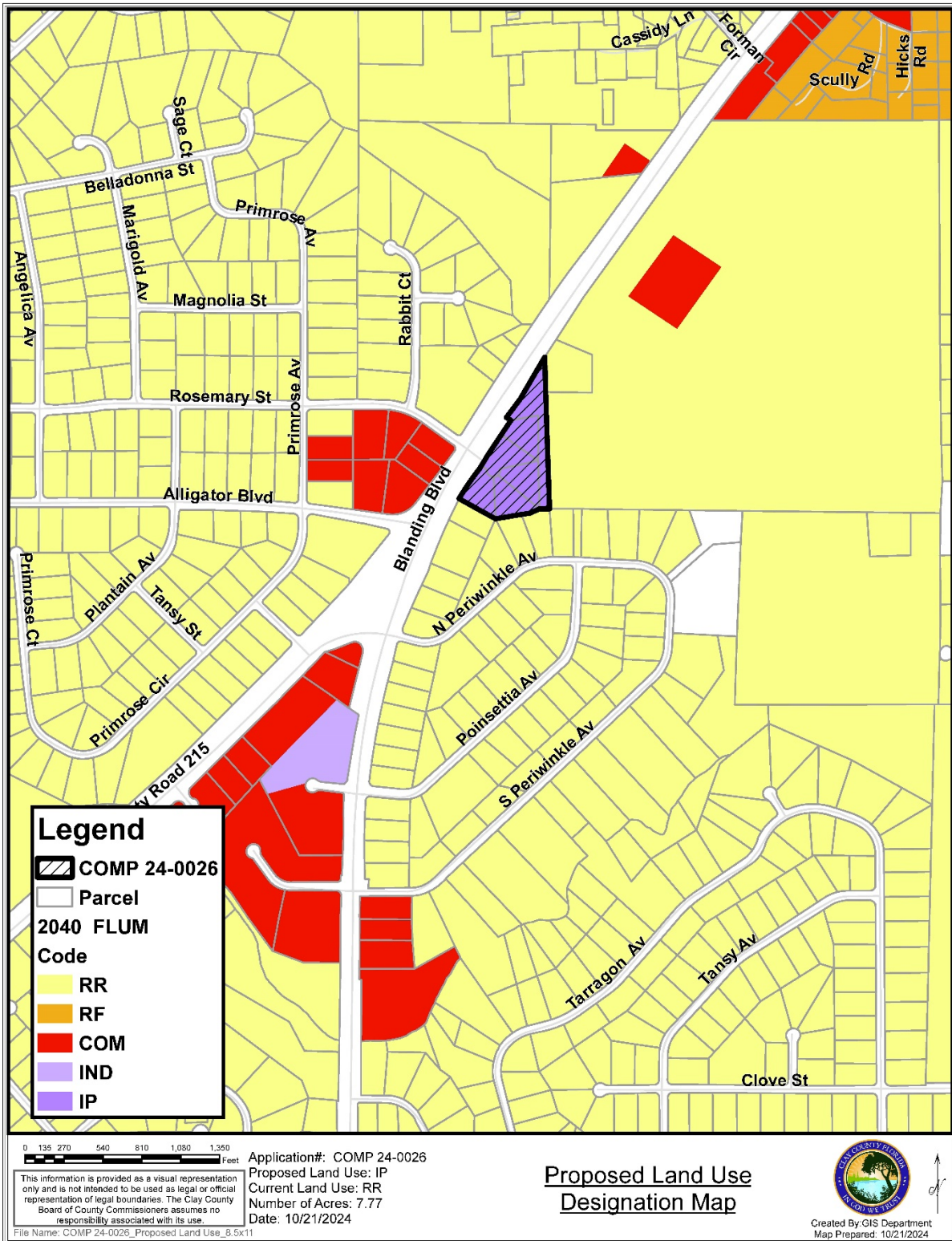
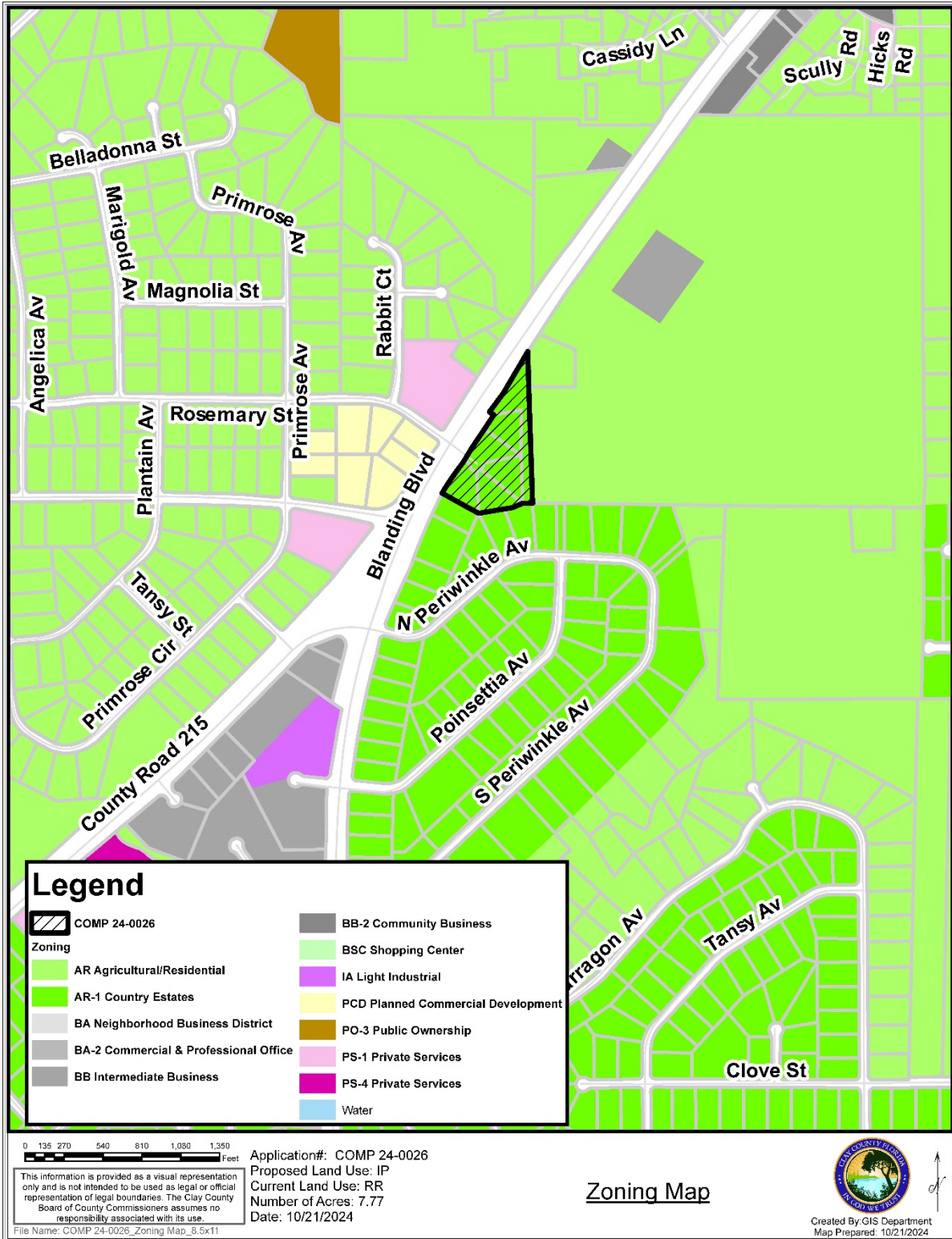


Figure 6 – Zoning Map



34 **Availability of Services**

35 **Traffic Facilities:**

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

37 **Schools:**

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

39

40 **Recreation:**

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

42

43 **Water and Wastewater:**

44 Water and sewer are not currently available near this project area. Development of this site will be reliant on
45 well and septic.

46

47 **Stormwater/Drainage:**

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

50 **Solid Waste:**

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

Chesser Island Road Regional Landfill Capacity

Remaining Capacity -----	55,565,151 cubic yards
Daily Tons -----	4,537 tons
Rate of Fill -----	5,041 cubic yards per day
Estimated Fill Date -----	01/04/55
Years Remaining -----	38 years

52 *Source: Environmental Protection Division, Georgia Department of Natural Resources,*

53 *Clay County 2040 Comprehensive Plan Data and Analysis,*

54 *Community Facilities Element*

55

56 **Land Suitability:**

57

58 **Soils:**

59 See Figure 7.

60 **Flood Plain:**

61 There do not appear to be any floodplain area on the subject parcel. Should such exist, mitigation will be
62 required. See Figure 8.

63 **Topography:**

64 The subject parcel has roughly twenty feet of slope from a high at the southwestern corner of the subject parcel
65 to a low at the northeast corner of the parcel. See Figure 9.

66 **Regionally Significant Habitat:**

67 There has been a black bear sighting on Alligator Blvd. to west of the subject parcel. See Figure 10.

68 **Historic Resources:**

69 There are no historic resource structures on the subject parcel although historic structure locations have been
70 mapped to the north of the subject parcel. See Figure 11.

71 **Compatibility with Military Installations:**

72 The subject property is located 2 miles due east of Camp Blanding.

73

Figure 7 – Soil Map

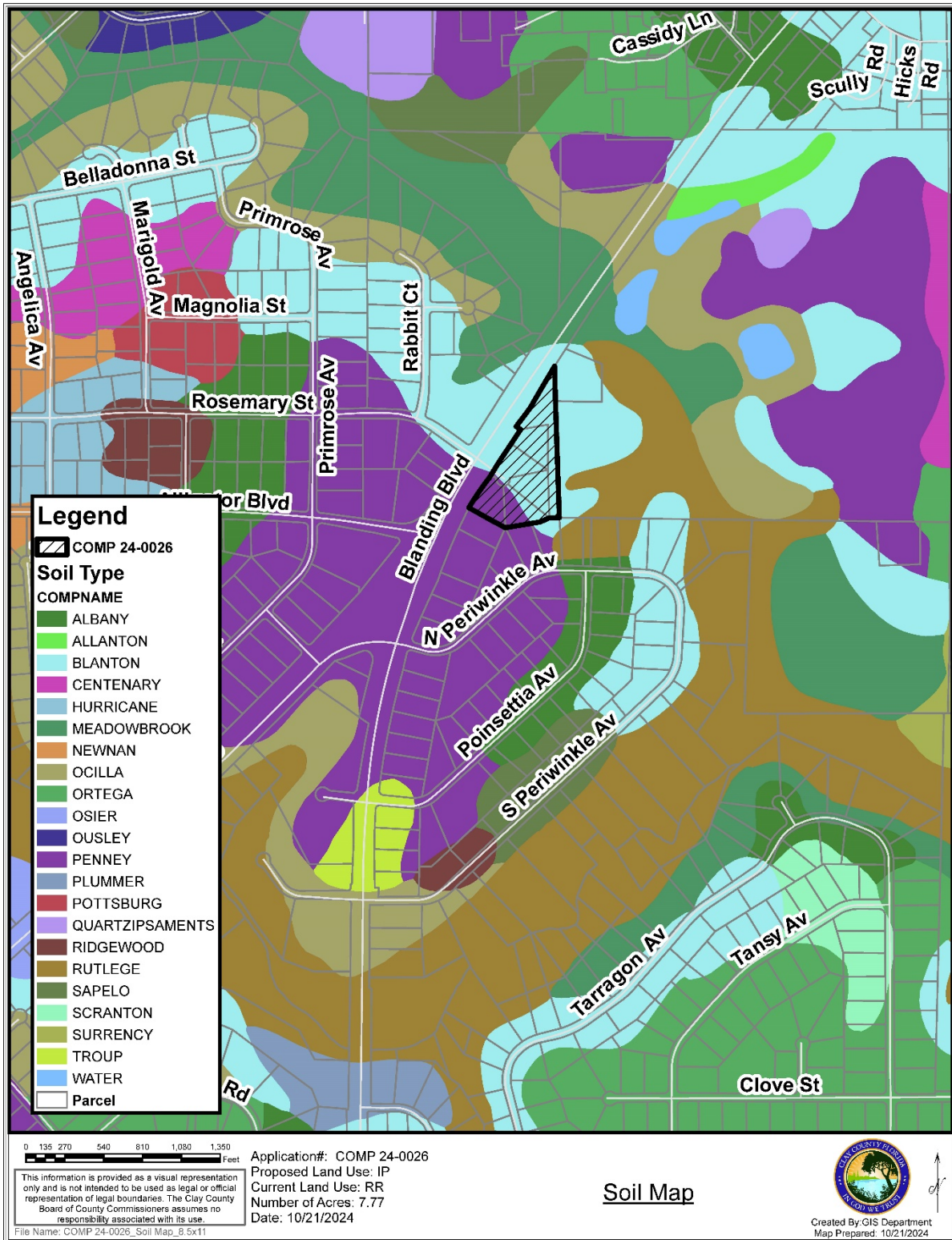


Figure 8 – Flood Zone Map

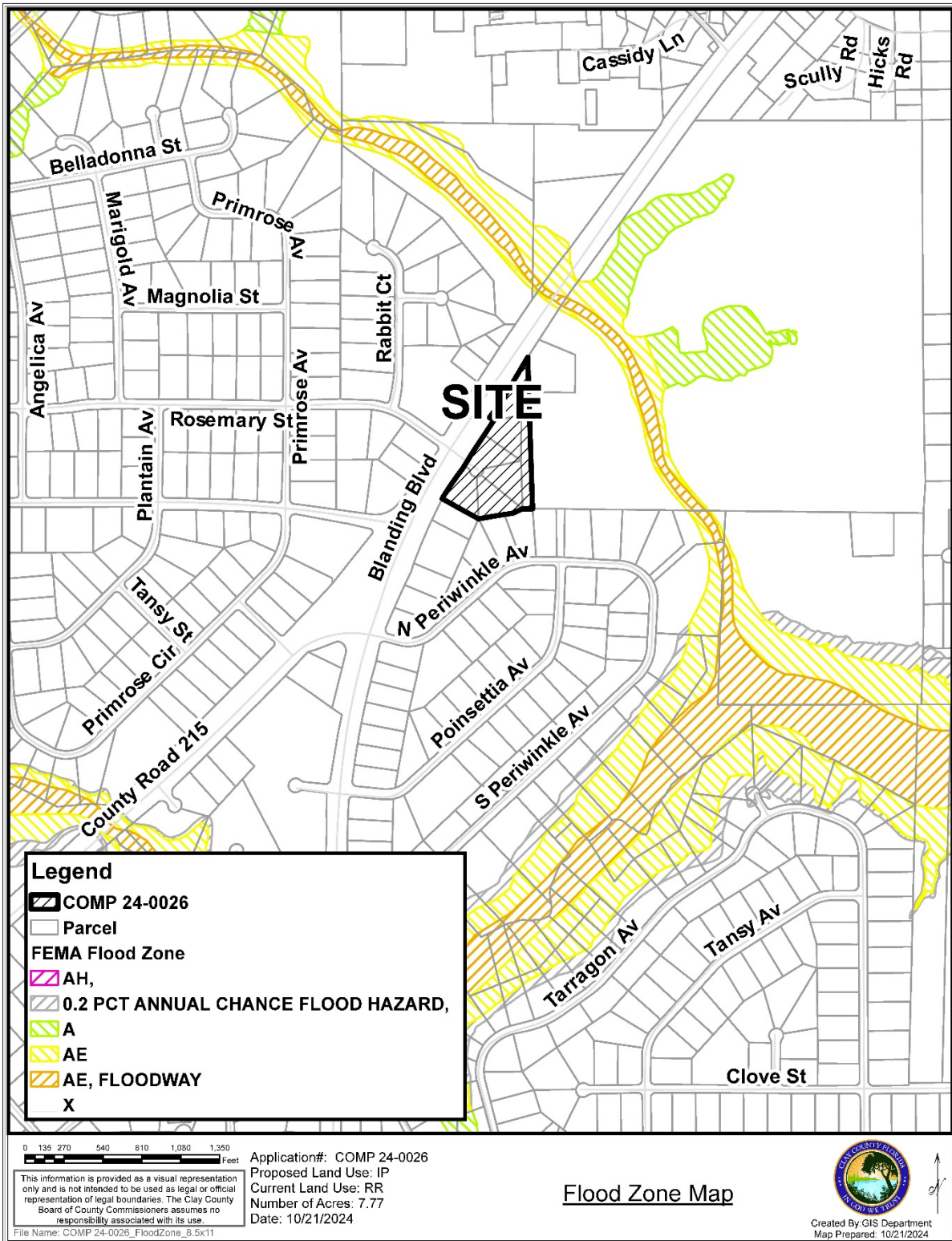


Figure 9 – Topography Map

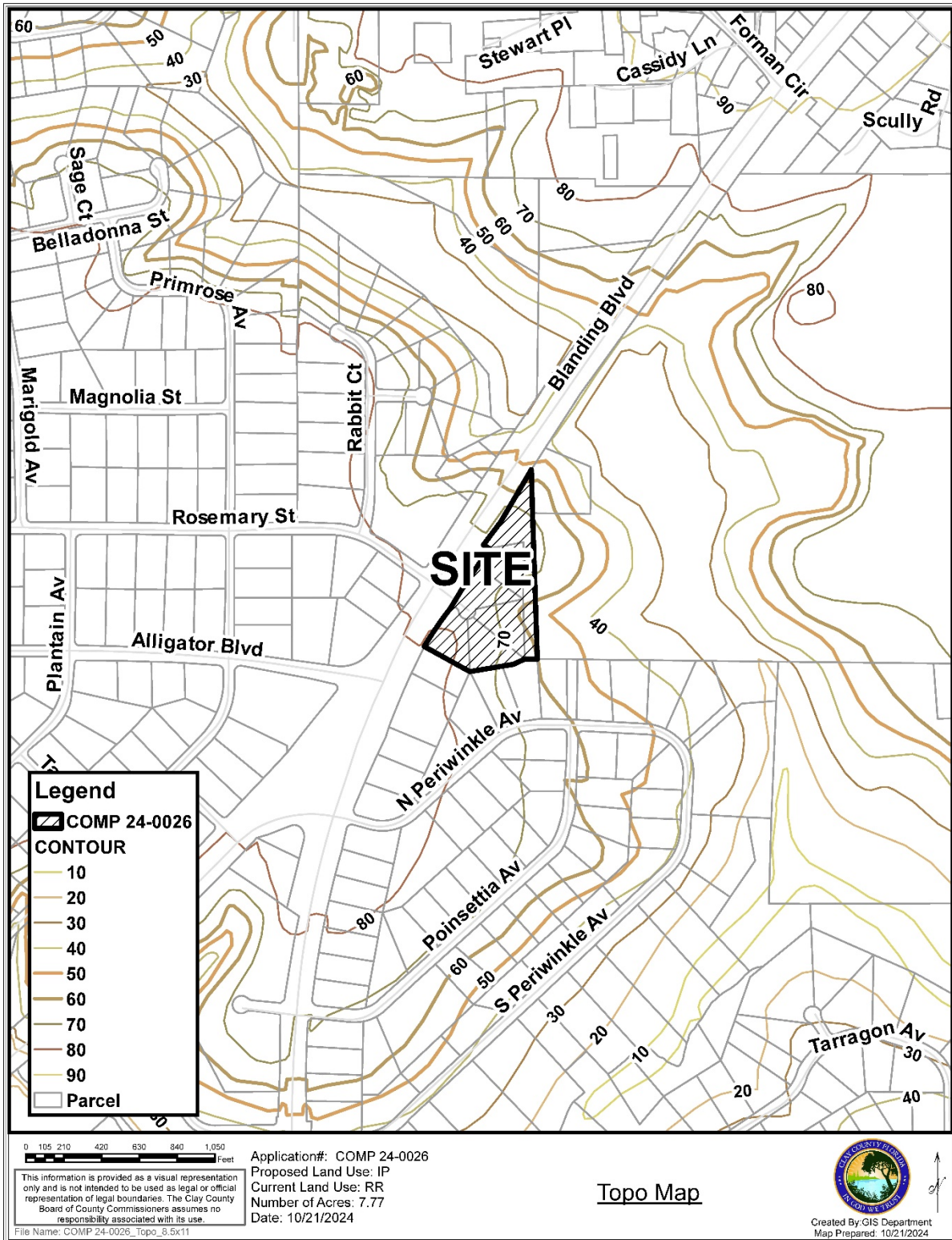


Figure 10 – Habitat Value Map

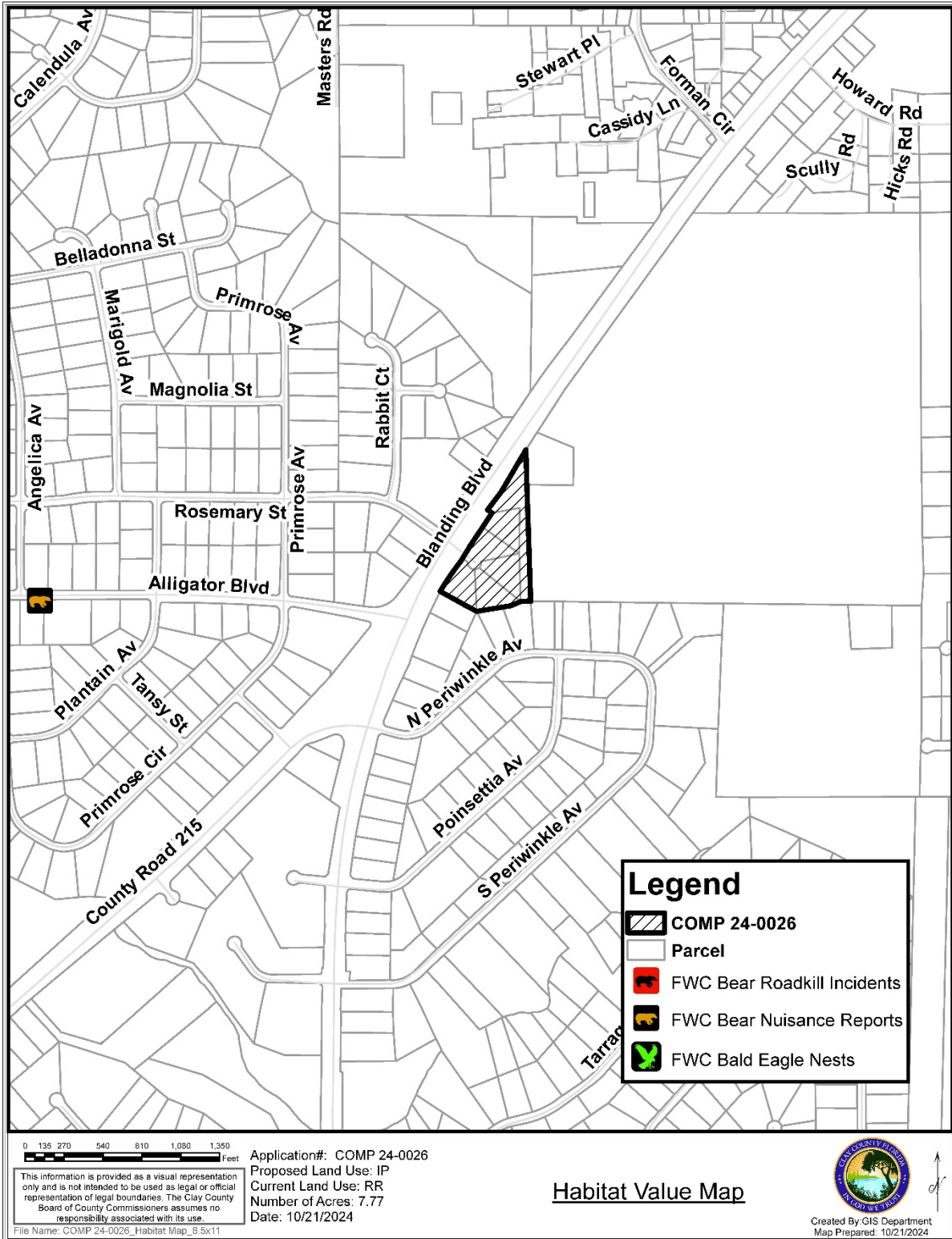
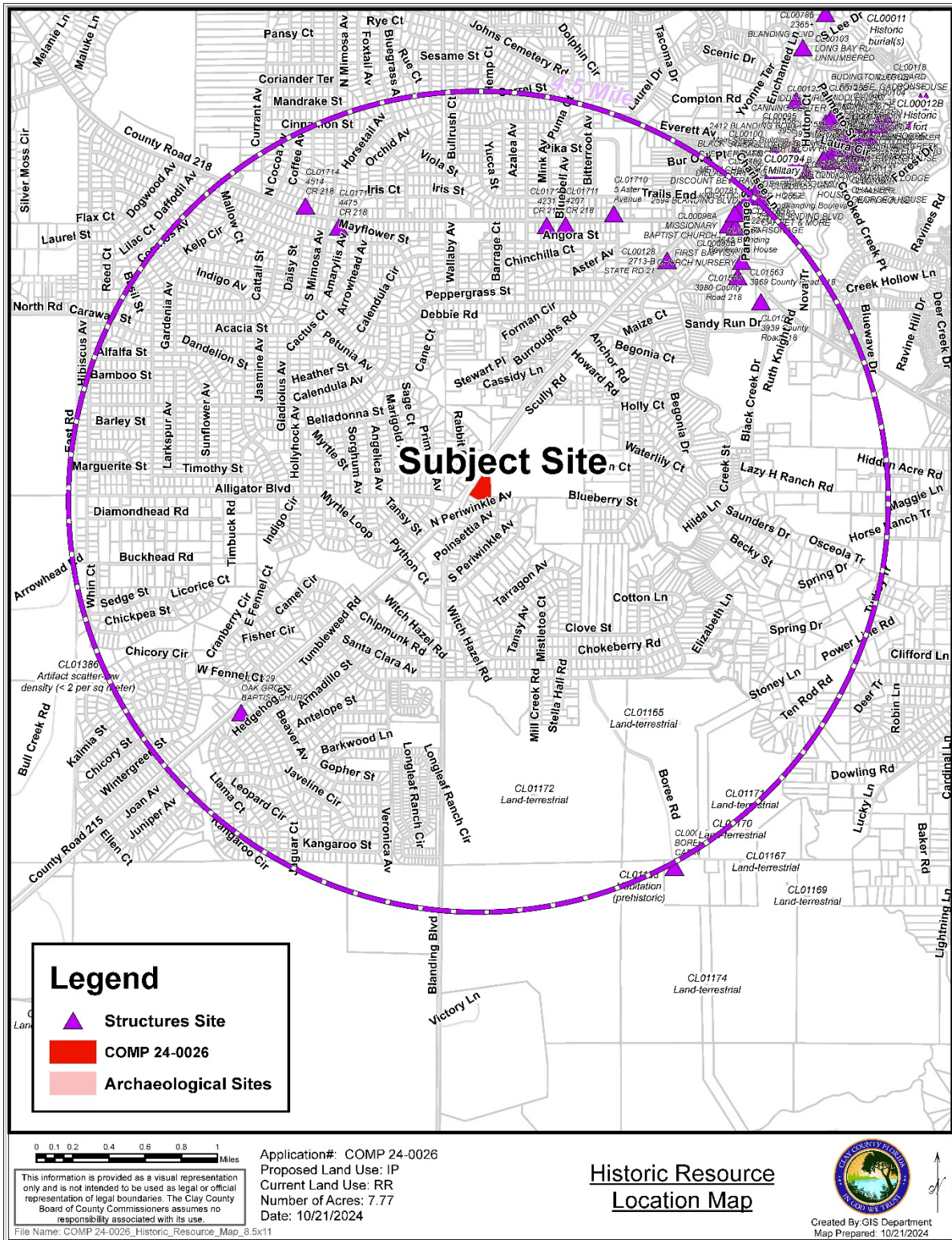


Figure 11 - Historical Resources



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

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

86 FLU Policy 1.4.1.3 Rural Residential (RR)

87 These areas will serve as a transition between areas with planned urban services,
88 agriculture/residential areas, and environmentally sensitive areas. The new growth in these areas
89 may include central sewer or water systems or other urban level public services if feasible. Rural
90 residential areas will provide a low density residential character.

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

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

103 FLU Policy 1.4.1.13 Industrial Park (IP)

104 It accommodates major industrial activities and supporting commercial and/or office uses. The
105 supporting uses shall be subordinate to and incidental to serve the industrial population and
106 capture its internal trip circulation. Therefore, the supporting uses shall not consume land areas
107 greater than 10% of developed portion of the industrial park. Industrial parks shall be located
108 close to transport facilities, especially where more than one transport modalities coincide: major
109 thoroughfares (designated major collector or better), railroads, airports, and/or navigable rivers.

110

111

112 Analysis Regarding Urban Sprawl

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

116 1. *Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as*
117 *low-intensity, low-density, or single-use development or uses.*

118 Staff Finding: The proposed future land use change would allow the property to be developed with more
119 than one type of use.

120 2. *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at*
121 *substantial distances from existing urban areas while not using undeveloped lands that are available*
122 *and suitable for development.*

123 Staff Finding: The subject property is small in scale at only 7.77 acres and therefore will not create a
124 significant amount of urban development. The property is currently undeveloped land and
125 is available and suitable for development based on the parcel's location at the intersection of
126 a State highway and a County highway.

127 3. *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns*
128 *generally emanating from existing urban developments.*

129 Staff Finding: The proposed amendment is located on the north side of the intersection of SR 21 and CR
130 215. This intersection area has a cluster of commercial and industrial parcels to the south and
131 a cluster of commercial parcels directly to the west across SR 21. The amendment will not
132 create a radial, strip, isolated or ribbon pattern.

133 4. *Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native*
134 *vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers,*
135 *shorelines, beaches, bays, estuarine systems, and other significant natural systems.*

136 Staff Finding: The site has already been cleared and has no wetlands or other sensitive areas. Future
137 development of the subject parcels will be required to ensure no that natural systems are
138 negatively impacted by the development.

139 5. *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active*
140 *agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime*
141 *farmlands and soils.*

142 Staff Finding: There are no adjacent agricultural areas or activities.

- 143 6. *Fails to maximize use of existing public facilities and services.*
- 144 Staff Finding: Water and sewer do not yet reach this site’s location. Connection will be made at some point
145 in the future once the services are available.
- 146 7. *Fails to maximize use of future public facilities and services.*
- 147 Staff Finding: There are no future public facilities or services known to be planned for this area in the near
148 future.
- 149 8. *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and*
150 *energy of providing and maintaining facilities and services, including roads, potable water, sanitary*
151 *sewer, stormwater management, law enforcement, education, health care, fire and emergency*
152 *response, and general government.*
- 153 Staff Finding: The subject parcel is already connected to services including roads, law enforcement, fire and
154 emergency response. The site will not generate a need for education and will develop its own
155 stormwater management. Connection to potable water and sanitary sewer will occur once
156 those services are available to the subject site.
- 157 9. *Fails to provide a clear separation between rural and urban uses.*
- 158 Staff Finding: The property will be developed with a landscaped buffer between the industrial park uses and
159 the adjacent residential uses.
- 160 10. *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and*
161 *communities.*
- 162 Staff Finding: The proposed amendment will not discourage or inhibit infill development.
- 163 11. *Fails to encourage a functional mix of uses.*
- 164 Staff Finding: The proposed FLU will allow for allow for a mix of related uses.
- 165 12. *Results in poor accessibility among linked or related land uses.*
- 166 Staff Finding: The proposed change will not affect accessibility among related land uses.
- 167 13. *Results in the loss of significant amounts of functional open space.*
- 168 Staff Finding: The proposed amendment will not result in the loss of significant amounts of functional open
169 space.

170

171 **Analysis of Surrounding Uses**

172 The proposed future land use amendment would change six (6) parcels of land (7.77 acres) Rural Residential
173 (RR) to Industrial Park (IP). This change would be in keeping with the evolving character of the surrounding
174 districts as shown in the table below:

	Future Land Use	Zoning District
North	Rural Residential (RR)	Agricultural Residential (AR)
South	Rural Residential (RR)	Country Estates (AR-1)
East	Rural Residential (RR)	Agricultural Residential (AR)
West	Commercial (COM) and Rural Residential (RR)	Planned Commercial Development (PCD) and Private Services (PS-1)

175

176 **Recommendation**

177 Staff recommends approval of COMP 24-0026.

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 SIX PARCELS (TAX PARCEL IDENTIFICATION #s 35-05-24-006699-874-00, 35-05-24-006699-875-00, 35-05-24-006699-876-00, 35-05-24-006699-877-00, 35-05-24-006699-878-00, 35-05-24-006699-879-00), TOTALING APPROXIMATELY 7.77 ACRES, FROM RURAL RESIDENTIAL (RR) TO INDUSTRIAL PARK (IP); 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 24-0026, submitted by PBP Homes Inc. & Patrick V. O’Neil, 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 six parcels of land (tax parcel identification #s 35-05-24-006699-874-00, 35-05-24-006699-875-00, 35-05-24-006699-876-00, 35-05-24-006699-877-00, 35-05-24-006699-878-00, 35-05-24-006699-879-00), totaling approximately 7.77 acres, described in Exhibit “A-1”, and depicted in Exhibit “A-2” is hereby changed from RURAL RESIDENTIAL (RR) to INDUSTRIAL PARK (IP).

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 December 2024.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
, Its Chairman

ATTEST:

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

Exhibit "A-1"

LOT 1 AND TRACT G, EXCLUDING PART TO SR 21 RIGHT OF WAY, AND LOTS 2, 3, 4, 5 AND 6, BLOCK 204, AND ALL OF ALLIGATOR COURT (CLOSED APRIL 27, 1982, ACCORDING TO CLAY COUNTY COMMISIONERS MINUTE BOOK 15, PAGE 86) AS SHOWN ON MAP OF BLACK CREEK PARK UNIT TWO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PALT BOOK 11, PAGE(S) 34 THROUGH 49, INCLUSIVE, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.



1 **Staff Report and Recommendations for PUD 24-0008**

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: Patrick V. O’Neill **Address:** 1045 Lake Asbury Drive
Agent: Susan Fraser (SLF Consulting, Inc.) Green Cove Springs, FL 32043
Phone: 904-591-8942
Email: slfraser@bellsouth.net

Owner: PBP Homes Inc. **Address:** 12917 Fort Caroline Rd.
Agent: Susan Fraser (SLF Consulting, Inc.) Jacksonville, FL 32225
Phone: 904-591-8942
Email: slfraser@bellsouth.net

7

8 **Property Information**

Parcel ID: 35-05-24-006699-87400, 35-05-24-006699- **Address:** Blanding Blvd & Goat Road
875-00, 35-05-24-006699-876-00, 35-05-24-006699-
877-00, 35-05-24-006699-878-00, 35-05-24-006699-
879-00

Current Land Use: Rural Residential (RR) **Current Zoning:** Country Estates District (AR-1)
Proposed Zoning: Planned Industrial **Acres:** 7.77 +/-
Development District (PID)
Commission District: 4, Comm. Condon **Planning District:** Middleburg- Clay Hill

9

10 **Introduction:**

11 This application is a Rezoning of six (6) parcels of land from Country Estates District (AR-1) to Planned
12 Industrial Development (PID). The property owners desire to build a “flex space” project with 5 buildings,
13 shared parking and storm water retention. Uses allowed would include retail, office and warehouse. The
14 owners do not have specific end use tenants at this time.

15

16 The subject parcels are located on the east side of Blanding Boulevard, just north of CR 215 and across from
17 Rosemary Street. Four of the six parcels were platted around a short cul-de-sac road named Goat Road which
18 was never built. The parcels are undeveloped land which has been extensively clear cut within the last year.

19

20 A companion Future Land Use change from Rural Residential (RR) to Industrial Park (IP) precedes this
21 rezoning.

Figure 1 – Parcel Map

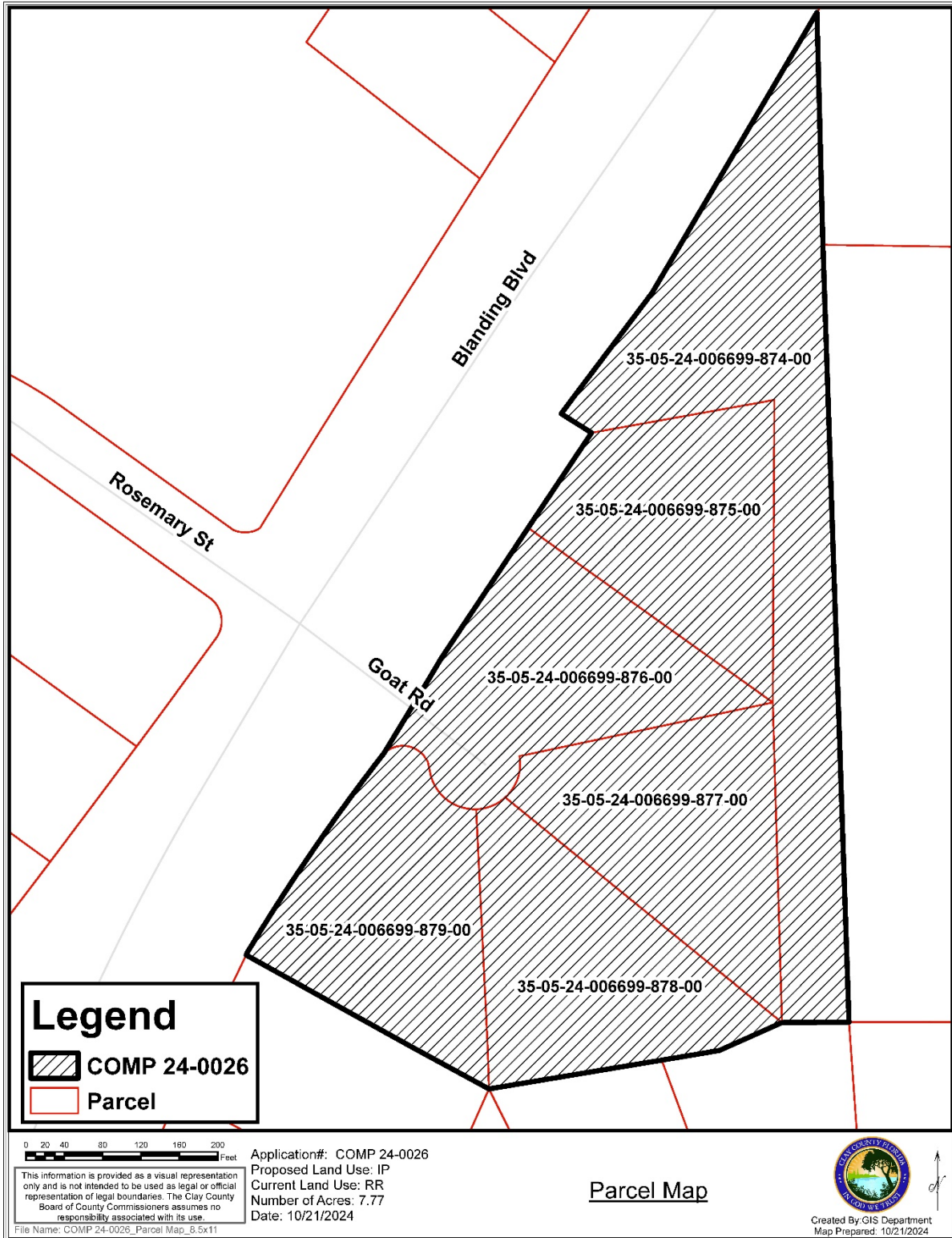
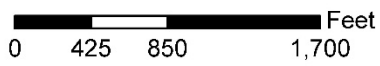


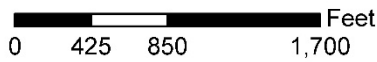
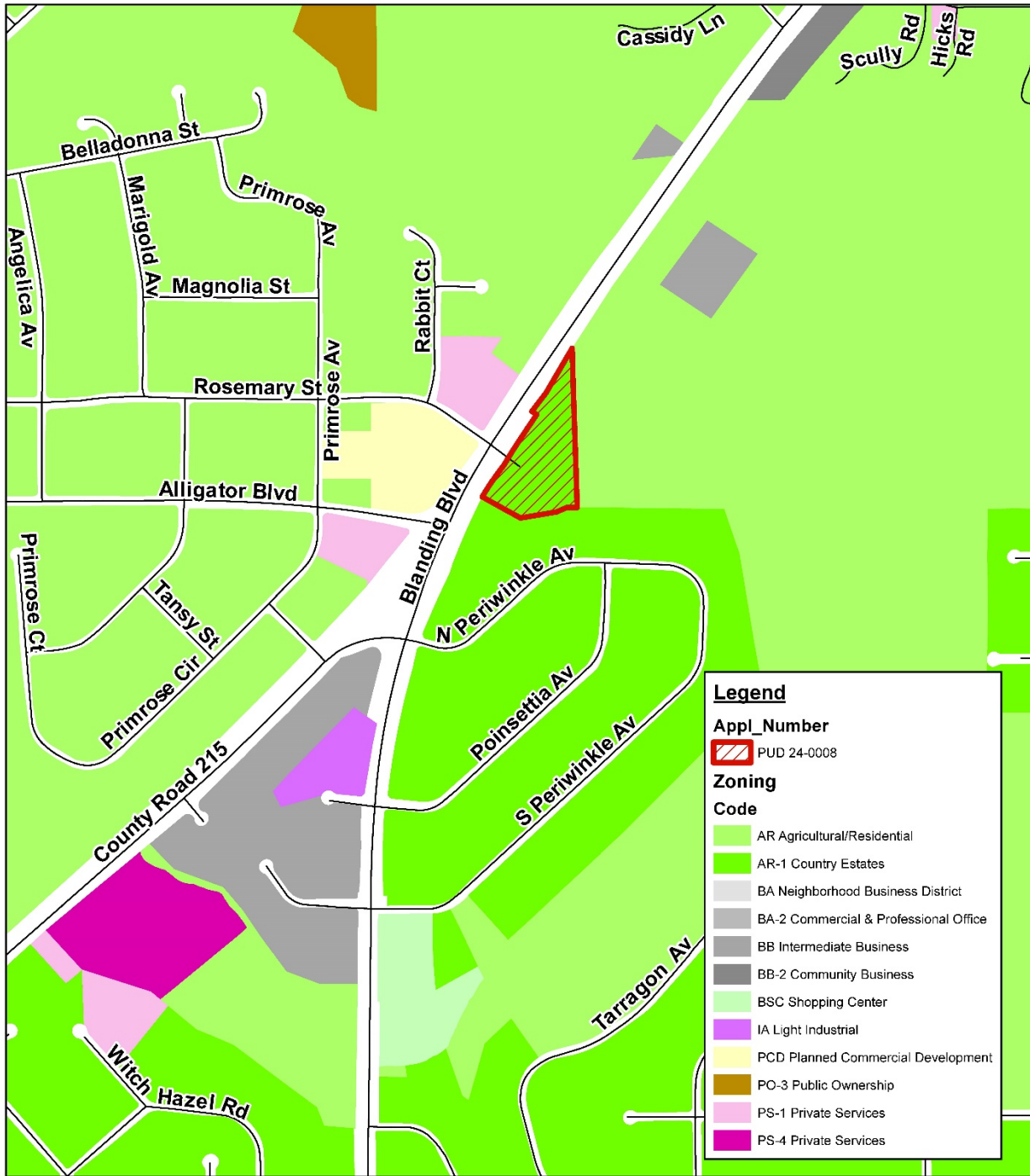
Figure 2 – Aerial Photo



**Rezoning: PUD 24-0008
from AR-1 and PID**



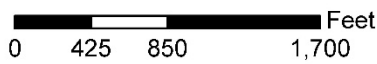
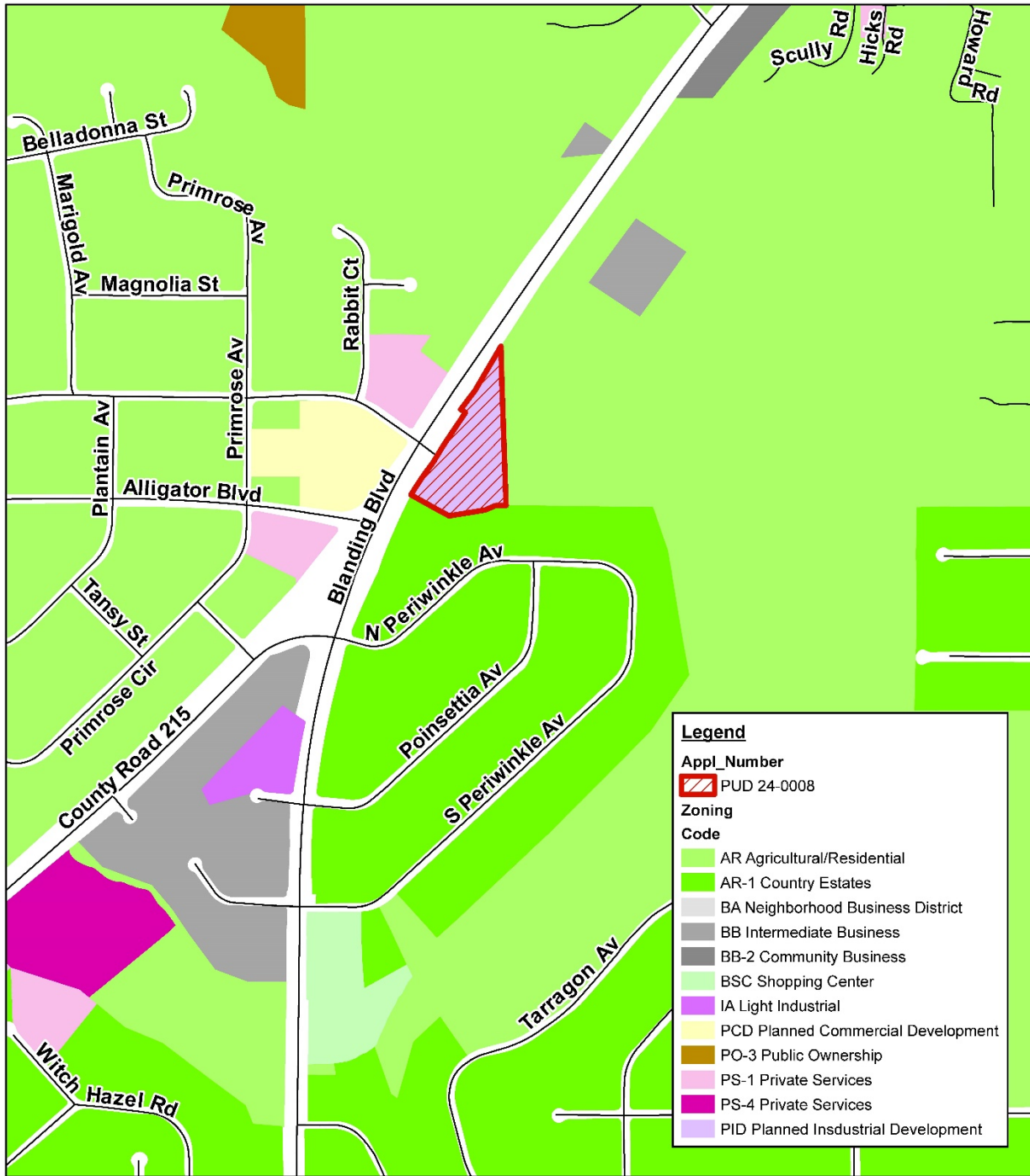
Figure 3 – Existing Zoning Map



**Existing Zoning
Rezoning: PUD 24-0008
from AR-1 and PID**



Figure 4 – Proposed Zoning Map



**Proposed Zoning
 Rezoning: PUD 24-0008
 from AR-1 and PID**



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

31 The following Goals/Objective/Policies support the proposed Rezoning Amendment to the Code:

32 FLU Policy 1.4.1.3 Rural Residential (RR)

33 These areas will serve as a transition between areas with planned urban services,
34 agriculture/residential areas, and environmentally sensitive areas. The new growth in these areas
35 may include central sewer or water systems or other urban level public services if feasible. Rural
36 residential areas will provide a low density residential character.

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

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

49 FLU Policy 1.4.1.13 Industrial Park (IP)

50 It accommodates major industrial activities and supporting commercial and/or office uses. The
51 supporting uses shall be subordinate to and incidental to serve the industrial population and
52 capture its internal trip circulation. Therefore, the supporting uses shall not consume land areas
53 greater than 10% of developed portion of the industrial park. Industrial parks shall be located
54 close to transport facilities, especially where more than one transport modalities coincide: major
55 thoroughfares (designated major collector or better), railroads, airports, and/or navigable rivers.
56

57 **Analysis of Proposed Rezoning Amendment**

58 In reviewing the proposed application for Rezoning, the following criteria may be considered along with
59 such other matters as may be appropriate to the particular application:
60

61 (a) Whether the proposed change will create an isolated district unrelated to or incompatible with
62 adjacent and nearby districts;

63 Staff Finding: The proposed change will not create an isolated district unrelated to nearby districts. The
64 subject property is located on the north side of the intersection of SR 21 and CR 215. This intersection area
65 has a cluster of commercial and industrial parcels to the south and a cluster of commercial parcels directly
66 to the west across SR 21.

67 (b) Whether the district boundaries are illogically drawn in relation to the existing conditions on the
68 real property proposed for change;

69 Staff Finding: The existing district boundaries are not illogically drawn.

70 (c) Whether the conditions which existed at the time the real property was originally zoned have
71 changed or are changing, and, to maintain consistency with the Plan, favor the adoption of the proposed
72 Rezoning;

73 Staff Finding: Increasing traffic volume on SR 21 (Blanding Blvd.) and on CR 215 have led to a clustering
74 of industrial and commercial uses near this intersection. This increased traffic volume also makes residential
75 use of the property less desirable.

76 (d) Whether the affected real property cannot be used in accordance with existing zoning;

77 Staff Finding: The property could be developed for a residential use but the location is more conducive to
78 a commercial or light industrial use.

79 (e) Whether the proposed Rezoning application is compatible with and furthers the County's stated
80 objectives and policies of the Plan;

81 Staff Finding: The proposed rezoning is compatible with the proposed Comprehensive Plan amendment.

82 (f) Whether maintenance of the existing zoning classification for the proposed Rezoning serves a
83 legitimate public purpose;

84 Staff Finding: There is no public purpose served by maintaining the existing zoning.

85 (g) Whether maintenance of the status quo is no longer reasonable when the proposed Rezoning is
86 inconsistent with surrounding land use;

87 Staff Finding: Maintaining the single-family residential use is no longer the highest and best use of these
88 parcels.

89 (h) Whether there is an inadequate supply of sites in the County for the proposed intensity or density
90 within the district already permitting such intensity or density.

91 Staff Finding: There is very little availability of land zoned for light industrial in this area of the County.

92

93 **Analysis of Proposed PUD Regulations**

94 The Written Statement for this application provides for a flex space industrial park project containing a mix
95 of uses.

96 Permitted uses include:

- 97 • Light industrial uses with related offices and showrooms in support of the manufacture, assembly and
98 distribution of small unit products. Retail sales are limited to an accessory role for the industrial use.
- 99 • Warehouse, warehouse-showroom or distribution.
- 100 • Wholesale business uses only if affiliated with a light industrial, warehouse, warehouse-showroom or
101 distribution use.
- 102 • Corporate, professional and business offices.

103 Conditional uses include public assembly and residential dwelling.

104 Accessory uses include dining, daycare, recreational facilities and professional services such as copying
105 centers, shipping offices and computer services.

106 Restrictions of uses:

- 107 • Each use must be conducted entirely within an enclosed building and include no outside storage or
108 other similar activities.
- 109 • Each use must not be dangerous, noxious or offensive to neighboring uses or the public in general by
110 reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion or emission of
111 particulate matter or radiation.
- 112 • Each use must be provided with off-street loading facilities located at the rear or side of the building
113 and visually screened from any abutting right-of-way or land with a residential land use or zoning
114 designation.
- 115 • An accessory uses and limited retail sales may not be located in freestanding buildings.

116 The PID will provide a 30 foot, type “C” buffer along the south and east sides adjoining the existing
117 residential.

118 **Analysis of Surrounding Uses**

119 The proposed rezoning would change six (6) parcels of land from Country Estates District (AR-1) to Planned
120 Industrial Development District (PID). This change would be in keeping with the evolving character of the
121 surrounding districts as shown in the table below:

	Future Land Use	Zoning District
North	Rural Residential (RR)	Agricultural Residential (AR)
South	Rural Residential (RR)	Country Estates (AR-1)
East	Rural Residential (RR)	Agricultural Residential (AR)
West	Commercial (COM) and Rural Residential (RR)	Planned Commercial Development (PCD) and Private Services (PS-1)

122

123 **Recommendation**

124 Staff recommends approval of PUD 24-0008.

125

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 SIX PARCELS (TAX PARCEL IDENTIFICATION #s 35-05-24-006699-874-00, 35-05-24-006699-875-00, 35-05-24-006699-876-00, 35-05-24-006699-877-00, 35-05-24-006699-878-00, 35-05-24-006699-879-00), TOTALING 7.77 ACRES, FROM THEIR PRESENT ZONING CLASSIFICATION OF COUNTRY ESTATES DISTRICT (AR-1) TO PLANNED INDUSTRIAL DEVELOPMENT (PID); PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application PUD 24-0008, submitted by Patrick V. O’Neill and PBP Homes Inc., seeks to rezone certain real property (tax parcel identification #s 35-05-24-006699-874-00, 35-05-24-006699-875-00, 35-05-24-006699-876-00, 35-05-24-006699-877-00, 35-05-24-006699-878-00, 35-05-24-006699-879-00) (the Property), described in Exhibit “A-1”, and depicted in Exhibit “A-2”.

Section 2. The Board of County Commissioners approves the rezoning request. The zoning classification of the Property is hereby changed from Country Estates District (AR-1) to Planned Industrial Development (PID), subject to the conditions outlined in the Written Statement attached as Exhibit “B-1” and the Site Plan attached as Exhibit “B-2”.

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

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

Section 5. This Ordinance shall become effective upon the Ordinance adopting the comprehensive plan amendment requested in Application COMP 24-0026 becoming effective.

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

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
, Its Chairman

ATTEST:

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

Exhibit "A-1"

LOT 1 AND TRACT G, EXCLUDING PART TO SR 21 RIGHT OF WAY, AND LOTS 2, 3, 4, 5 AND 6, BLOCK 204, AND ALL OF ALLIGATOR COURT (CLOSED APRIL 27, 1982, ACCORDING TO CLAY COUNTY COMMISIONERS MINUTE BOOK 15, PAGE 86) AS SHOWN ON MAP OF BLACK CREEK PARK UNIT TWO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PALT BOOK 11, PAGE(S) 34 THROUGH 49, INCLUSIVE, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.

EXHIBIT "A-2"

LEGAL DESCRIPTION OF LOT 6:

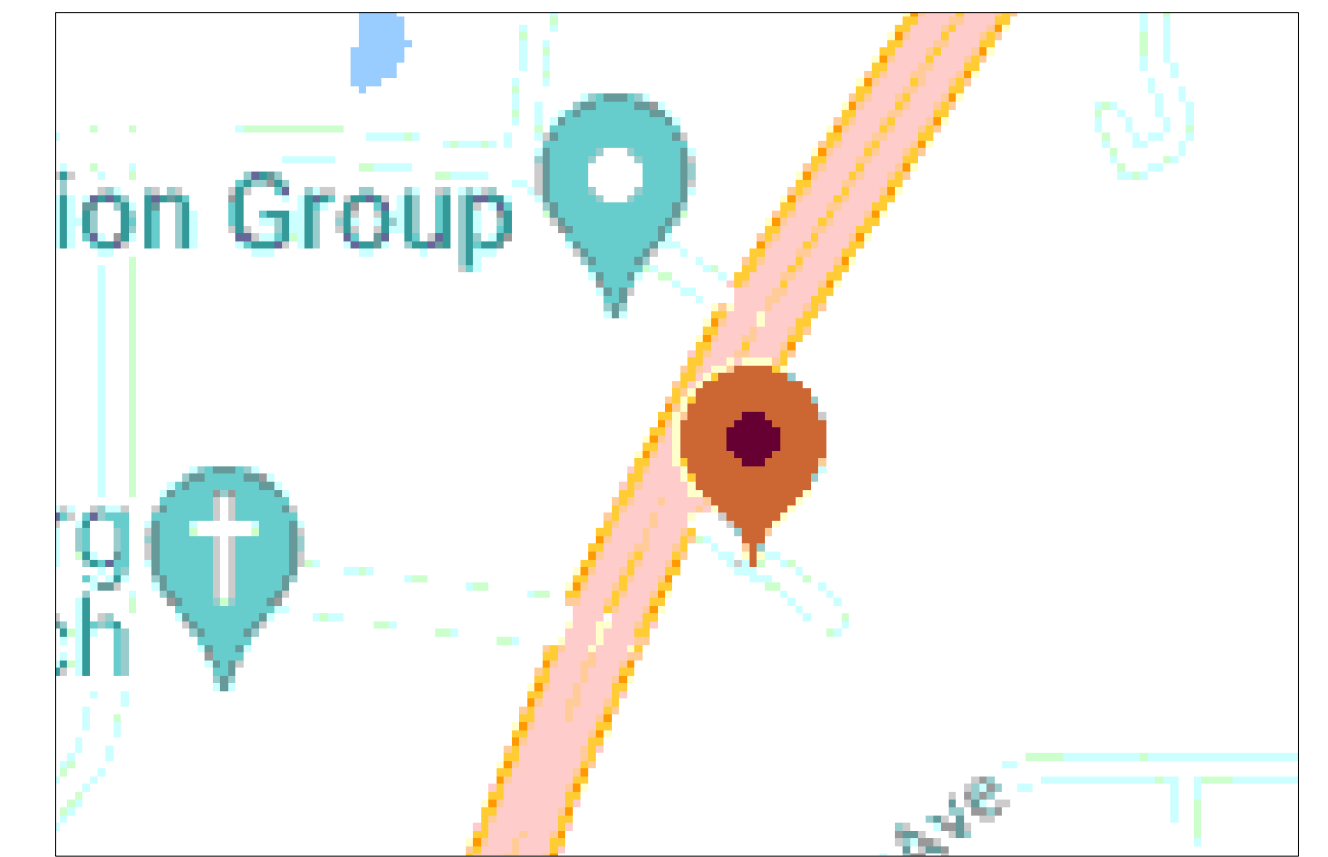
LOT 1 AND TRACT G, EXCLUDING PART TO SR 21 RIGHT OF WAY, AND LOTS 2, 3, 4, 5 AND 6, BLOCK 204, AND ALL OF ALLIGATOR COURT (CLOSED APRIL 27, 1982, ACCORDING TO CLAY COUNTY COMMISSIONERS MINUTE BOOK 15, PAGE 86) AS SHOWN ON MAP OF BLACK CREEK PARK UNIT TWO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE(S) 34 THROUGH 49, INCLUSIVE, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.

OVERALL BOUNDARY SURVEY OF

2622 GOAT ROAD
MIDDLEBURG, FL 32068

PREPARED FOR:

JEFFORY RABACCHI

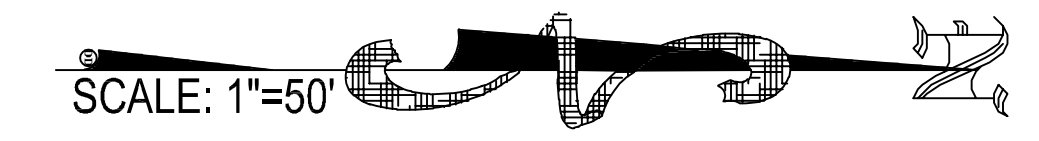


VICINITY MAP
NOT TO SCALE

LINE	LENGTH	BEARING
L1	7.21'	N54°10'00"W
L2	7.21'	N54°10'00"W

CURVE	LENGTH	RADIUS	DELTA
C1	47.00'	30.00'	89°45'47"
C2	21.68'	30.00'	41°24'35"
C3	69.17'	50.00'	79°15'29"
C4	40.53'	50.00'	46°26'31"
C5	46.27'	50.00'	53°01'08"
C6	73.39'	50.00'	84°06'02"
C7	21.68'	30.00'	41°24'35"
C8	47.00'	30.00'	89°45'47"

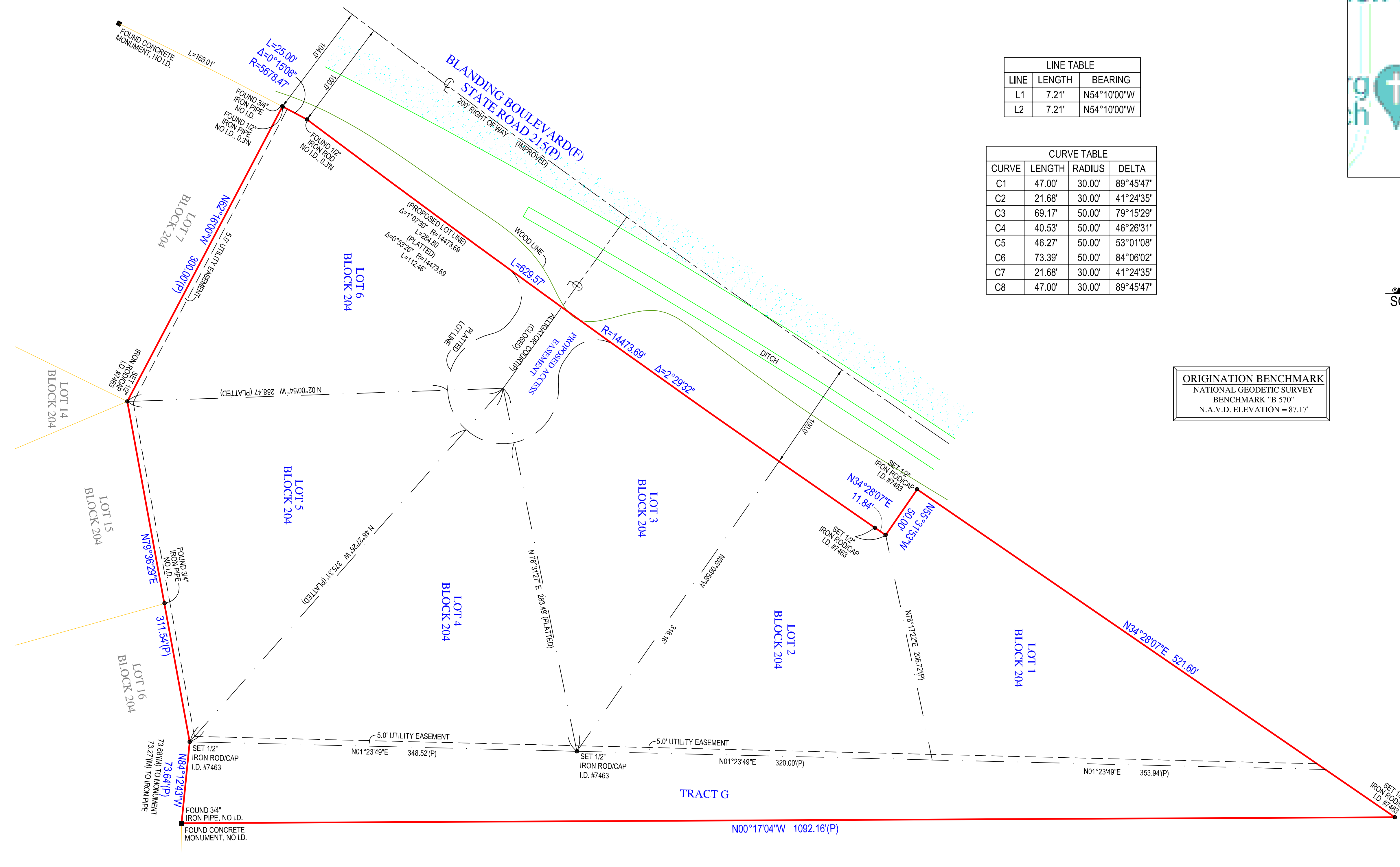
ORIGINATION BENCHMARK
NATIONAL GEODETIC SURVEY
BENCHMARK "B 570"
N.A.V.D. ELEVATION = 87.17'



FLOOD ZONE: X
COMMUNITY NUMBER: 120064
PANEL: 12019C0145
SUFFIX: E
BASE FLOOD ELEVATION: N/A
FIRM DATE: 03/17/2014
FIRM EFFECT./REV DATE: 03/17/2014

LEGEND

A/C	AIR CONDITIONER
B.F.P.	BACKFLOW PREVENTER
C.B.S.	CONCRETE BLOCK STRUCTURE
E	ELEVATION
F.F.	FINISHED FLOOR
I.D.	IDENTIFICATION
L	LENGTH
L.B.	LICENSED BUSINESS
M	MEASURED
N.T.S.	NOT TO SCALE
N&D	NAIL & DISC
N.A.V.D.	NORTH AMERICAN VERTICAL DATUM
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
O.R.B.	OFFICIAL RECORDS BOOK
P	PLA
PSM	PROFESSIONAL SURVEYOR AND MAPPER
P.R.M.	PERMANENT REFERENCE MONUMENT
PG	PAGE
P.B.	PLAT BOOK
PK	PARKER KYLON NAIL
R	RADIUS
TAN	TANGENT
T.B.M.	TEMPORARY BENCH MARK
C	CENTERLINE
AND	AND
#	NUMBER
Δ	DELTA OR CENTRAL ANGLE
CONCRETE	CONCRETE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT



NOTES:
 1. LEGAL DESCRIPTION CREATED BY COMPASS SURVEYING
 2. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE.
 3. NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY.
 4. ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED.
 5. SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.
 6. THE BEARINGS SHOWN HEREON ARE BASED UPON THE EAST LINE, HAVING A BEARING OF N01°23'49"E.

REVISIONS:
 1. ADDED NEW PARCELS TO OVERALL... 06-04-2024

DATE OF FIELD WORK: 05-30-2023
 DATE OF MAP: 08-08-2023

SURVEYORS CERTIFICATE:
 I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED) _____
 KENNETH J. OSBORNE
 PROFESSIONAL SURVEYOR & MAPPER #6415

Project C-589746 Sheet
 Date 05-30-2023 1 of 1
 Scale 1"=50'

6250 N. MILITARY TRAIL
 SUITE 102
 WEST PALM BEACH, FL 33407
 PHONE: 561.640.4800
 FAX: 561.640.0576

COMPASS SURVEYING
 WWW.COMPASSSURVEYING.NET

LB #7463



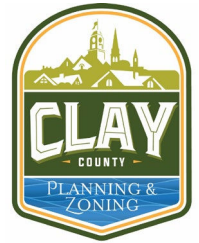
**Department of Economic and Development Services
Planning & Zoning Division**

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

Phone: (904) 284-6300

www.claycountygov.com

Exhibit "B-1"



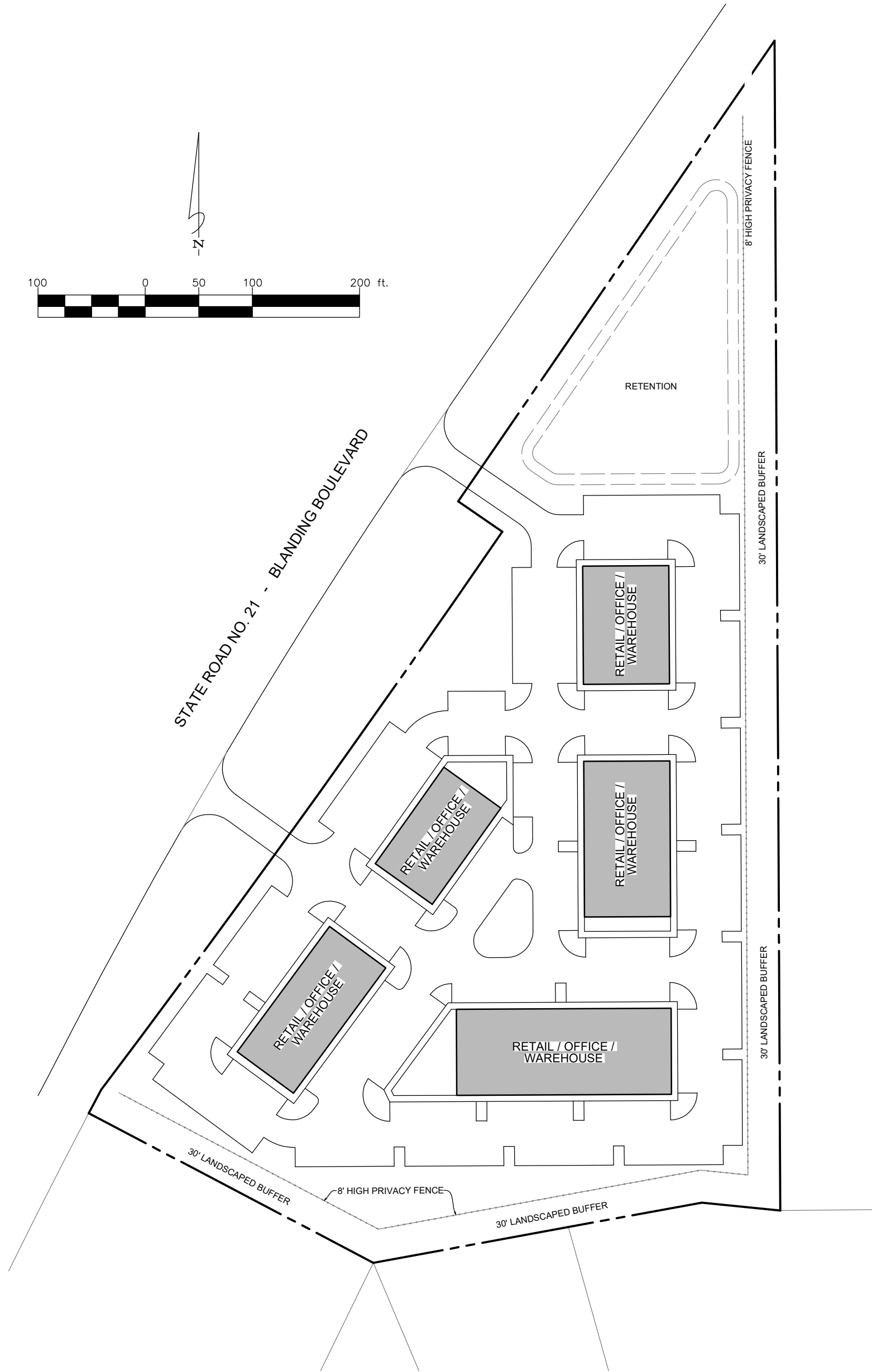
PUD / PCD / PID WRITTEN STATEMENT EXHIBIT "B"

Name of Development: Blanding Boulevard PID		Net Acres: 7.76
Parcel ID #: 006699-875-00, 006699-874-00, 006699-876-00, 006699-877-00, 006699-878-00, and 006699-879-00		Wetland Acres: 0
Total Number of Dwelling Units Proposed: 0		Total Acres: 7.76
Total Amount of Open Space: 0	Total Amount of Recreation: 0	Total Active Recreation: 0
Phase Schedule for Construction:	Construction of flex space that can be used for retail, office, and warehouse facilities.	
Permitted Uses:	<p>(1) Light industries, with related offices and showrooms, which manufacture, assemble, process, package, store, and distribute small unit products such as optical devices, precision instruments, electronic equipment, toys, fishing tackle, research facilities and laboratories, and the like.</p> <p>(2) Accessory uses, such as dining and recreational facilities as a convenience to the occupants thereof and their customers and employees, and business offices accessory to the primary industrial use.</p> <p>(3) Limited retail sales allowed only as an accessory and minor activity accompanying each light industrial, warehouse, warehouse-showroom or distribution use.</p> <p>(2) Warehouse, warehouse-showroom or distribution uses.</p> <p>(3) Wholesale, business uses, only if affiliated with or accessory to light industrial, warehouse, warehouse-showroom, or distribution uses.</p> <p>(4) Corporate, professional and business offices.</p> <p>(6) Accessory uses, such as dining, daycare, and recreational facilities, as well as professional services such as copying centers, shipping offices, and computer services.</p>	
Conditional Uses:	<p>(1) Public assembly.</p> <p>(2) Residential dwelling.</p>	
Permitted Accessory Uses and Structures:	None	
Restrictions of Uses:	<p>(1) Each must be conducted entirely within an enclosed building and include no outside storage or other similar activities.</p> <p>(2) Each must not be dangerous, noxious or offensive to neighboring uses or the public in general by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion or emission of particulate matter or radiation.</p> <p>(3) Each must be provided with off-street loading facilities that are located at the rear or side of the building and visually screened from any abutting public or approved private street or land with a residential zoning or land use designation.</p> <p>(4) Accessory uses and limited retail sales may not be located in freestanding buildings.</p>	

Design Guidelines		
A. Lot Requirements		
Minimum Lot Area:None	Minimum Lot With at Bldg. Line: None	Minimum Lot Depth: None
Maximum Lot Coverage: 50%	Maximum Rear Lot Coverage: None	Maximum Bldg. Height: 45 ft.
Minimum Front Setback: 15 ft.	Minimum Side Setback: 25 ft.	Minimum Rear Setback: 30 ft
Minimum Front Setback Intersecting Street:	Minimum Setback for Accessory Structures: N/A	
Minimum Living Area:N/A		
B. Ingress, Egress, and Circulation		
<p>Parking Requirements: The parking requirements for this development shall be consistent with the requirements of Article VIII of the Land Development Code & the Branan Field & Lake Asbury Master Plans.</p> <p>Vehicular Access: Vehicular access to the property shall be by way of <u>Blanding Blvd.</u> Substantially as shown in the site plan. The final location of all access points is subject to the review of the Engineering/Public Works Department.</p> <p>Non-motorized Access: Non-motorized access shall be provided by sidewalks and pedestrian/bicycle paths installed in accordance with Article VIII of the Land Development Code and the Branan Field and Lake Asbury Master Plans.</p>		
C. Signs		
Signs shall be permitted separately from development plans and shall meet the requirements of the Article VII of the Land Development Code and the Branan Field and Lake Asbury Master Plans.		
D. Landscaping		
Flexibility in meeting the landscape requirements of Article VI of the Land Development Code and the Branan Field and Lake Asbury Master Plans is permitted for Planned Developments provided the outcome meets or exceeds the requirements of the Code. Indicate below what alternative landscaping will be provided or leave blank if the development will comply with the Code requirements.		
Shade Cover Points:	N/A	
Vehicle Use Area Landscaping:	Comply with the Article VI - Landscaping of the Clay County Land Development Code	
Street Trees:	N/A	
Right-of-way Buffers for Subdivision Development	N/A	
Perimeter Buffers:	30 ft. "C" type landscaped buffer from any residential property	
Branan Field/Lake Asbury Non-Residential Standards	Lake Asbury lighting standards, to assure light does not spill on adjoining properties.	

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

BLANDING SOUTH PID SITE PLAN





Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, December 3 5:00 PM

TO: Planning Commission

DATE: 11/25/2024

FROM: Dodie Selig, AICP, Chief
Planner

SUBJECT: This application is a proposed text amendment to the 2040 Comprehensive Plan. The application would make changes to LA FLU Policy 1.4.1 and LA FLU Policy 1.4.10 with respect to the Lake Asbury Interchange Village Center land use category.

AGENDA ITEM TYPE:

ATTACHMENTS:

Description	Type	Upload Date	File Name
▢ COMP 24-0025 - Staff Report	Cover Memo	11/26/2024	PC_Staff_Report_- _COMP_24- 0025_AY_Venturesada.pdf
▢ COMP 24-0025 - Ordinance	Ordinance	11/26/2024	Ordinance_-COMP_24- 0025_AY_Ventures_finalada.pdf



1 **Staff Report and Recommendations for COMP 24-0025**

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:**

Applicant: AY Ventures, Inc.

Address: 634 SW 137th Way

Agent: Susan Fraser (SLF Consulting, Inc.)

Newberry, FL 32669

Phone: 904-591-8942

Email: slfraser@bellsouth.net

7

8 **Introduction:**

9 This application is a proposed text amendment to the 2040 Comprehensive Plan. The application would make
10 changes to LA FLU Policy 1.4.1 and LA FLU Policy 1.4.10 with respect to the Lake Asbury Interchange Village
11 Center land use category.

12

13 **Summary of the Proposed Amendment**

14 The proposed changes are as follows:

15

16 **LA FLU Policy 1.4.1**

17 The following table shows maximum density for LAMPA land use categories.

LA Land Use Category	Type Use	Base Density	Maximum Density *
LA Rural Community (LA RC)	Single-Family Detached	1 unit per 5 net acres	2 units per net acre
LA Rural Fringe (LA RF)	Single-Family Detached	1 unit per net acre allowed	3 units per net acre
LA Rural Reserve (LA RRSV)	Single-Family Detached	1.5 units per gross acre allowed	1.5 units per gross acre
LA Master Planned Community (LA MPC)	Single-Family Detached	3 units per net acre allowed	5 units per net acre
LA Master Planned Community (LA MPC)	Single-Family Attached	6 units per net acre allowed; 10 units per net acre allowed	12 units per net acre

LA Village Center (LA VC)	Single-Family Detached	5 units per net acre required	8 units per net acre
LA Village Center (LA VC)	Single-Family attached/ Multi-Family	6 units per net acre required; 10 units per net acre allowed.	16 units per net acre
<u>LA Interchange Village Center (LA IVC)</u>	<u>Single-Family attached/ Multi-Family</u>	<u>6 units per net acre required; 10 units per net acre allowed.</u>	<u>16 units per net acre</u>
LA Activity Center (LA AC)	Single-Family attached/ Multi-Family	8 units per <u>net</u> acre required; 10 units per net acre allowed.	24 units per net acre

18 *including density awarded from wetland-upland buffers as required by Policy 1.2.1 and/or the density bonus
19 for environmentally significant lands as permitted by Policy 1.2.2.

20

21 **LA FLU Policy 1.4.10**

22 **Village Center and Interchange Village Center (LA VC and LA IVC)**

23

24 Village Center (LA VC):

25 Village Centers shall serve as the mixed-use focal point and central place of a village, and shall provide
26 community shopping and parks, arranged in a walkable and human-scale manner. New elementary schools
27 are encouraged to locate close to or adjacent to Village Centers. The retail and office component is limited to
28 small-scale uses, except for stand-alone grocery stores and drug stores. Village Center size may not be greater
29 than 75 acres, with this figure not including schools and community parks. There shall be no more than ten
30 Village Centers in the LAMP A. Village Centers must be located around the intersections of roads classified
31 as minor collector and above.

32 Within the Village Centers, residential uses are allowed in the form of small-lot single-family subdivisions,
33 townhomes, apartments, and upper floor units above nonresidential. Project residential density shall be
34 between five and 10 single family, single family-attached and multi-family units per acre, not applicable to
35 upper floor units in nonresidential developments. Projects utilizing additional density associated with
36 wetland-upland buffer and/or environmentally significant land dedication, as described under policies
37 associated with Objective 1.2, shall be allowed a density of up to 16 units per net acre. Nonresidential Project
38 Floor Area Ratios shall not exceed 70%. Commercial uses must be in a compact, walkable form accessible by
39 sidewalk.

40 The village center shall be designed to provide connections to the surrounding pedestrian/bicycle path system
41 and to integrate with the street network of surrounding neighborhoods. Open space requirements will provide
42 park space in the form of civic spaces, plazas, ~~and~~ urban parks, ~~as well as~~ or community parks, including

43 combinations thereof. The quantification of uses shall be consistent with the ranges identified in the following
44 table.

Land Use Sub-Category	Minimum Required (acres)	Maximum Permitted (acres)
Village Center		
Residential	25%	65%
Office	0%	25%
Commercial/Retail	25%	65%
Civic/Public Parks	10%	No Max

45
46 Notwithstanding the foregoing, any LA VC consisting of less than ten (10) acres existing as of ~~the date of~~
47 ~~adoption of this Ordinance~~ November 22, 2022 shall not be subject to the quantification of uses described in
48 the above matrix.

49 Village Centers adjacent to the Rural Community land use are limited to elementary schools, parks, and
50 rural commercial development, within individual buildings (excluding schools) not to exceed 5,000 square
51 feet and total building area not to exceed 15,000 square feet.

52
53 Interchange Village Center (LA IVC):

54 The Interchange Village Centers (IVC) shall be located at the First Coast Expressway interchanges with State
55 Road 16 and County Road 739.

56 Within the IVCs, residential uses are allowed in the form of attached single-family, townhomes, apartments,
57 and upper floor units above nonresidential. Project residential density shall be between six and 10 single
58 family-attached and multi-family units per acre, not applicable to upper floor units in nonresidential
59 developments. Projects utilizing additional density associated with wetland-upland buffer and/or
60 environmentally significant land dedication, as described under policies associated with Objective 1.2, shall
61 be allowed a density of up to 16 units per net acre. Nonresidential Project Floor Area Ratios shall not exceed
62 70%.

63 The IVCs shall be designed to provide connections to the surrounding pedestrian/bicycle path system and to
64 integrate with the street network of surrounding neighborhoods. Open space requirements will provide park
65 space which may be in the form of civic spaces, plazas, urban parks, or community parks, including
66 combinations thereof.

67 The IVC located at State Road 16 shall have a maximum size of 150 acres. Office and retail uses can be of a
68 regional scale and shall not be limited to neighborhood and small scale uses. Commercial uses are encouraged
69 to be in a compact, walkable form accessible by sidewalk however interstate uses located adjacent to the
70 interchange and larger community/regional scale commercial uses may be more auto oriented, provided
71 enhanced pedestrian connectivity is maintained within the IVC development, to the adjacent major
72 transportation corridors and to adjacent development. Permitted uses within this Interchange Village Center
73 shall include light industrial. Light industrial uses shall be limited to light manufacturing and processing,

74 assembly, packaging, fabrication, distribution, warehousing and storage of products that are not objectionable
 75 to surrounding land uses with regard to safety, smoke, noise, odor, fumes, dust, toxic chemicals and hazardous
 76 wastes. Light industrial performance standards shall be established in the Interchange Village Center zoning
 77 designation to implement this land use category.

78 The IVC located at County Road 739 shall have a maximum size of 18.75 acres. Office and retail uses are not
 79 limited to neighborhood and small scale uses. Commercial uses are encouraged to be in a compact, walkable
 80 form accessible by sidewalk however interstate uses located adjacent to the interchange and larger
 81 community/regional scale commercial uses may be auto oriented, provided enhanced pedestrian connectivity
 82 is maintained within the IVC development, to adjacent major transportation corridors and to adjacent
 83 development. Light industrial shall not be a permitted use within the C.R. 739 Interchange Village Center.

84 The quantification of land uses in an Interchange Village Center shall be consistent with the ranges identified
 85 in the following table.

Land Use Sub-Category	Minimum Required (acres)	Maximum Permitted (acres)
Interchange Village Center		
Residential	10%	50%
Office	10%	No Max
Commercial/Retail	5%	40% 65%
Light Industrial	0%	No Max
Civic/Public Parks	10%	No Max

86

87 [Analysis of the Proposed Amendment](#)

88 LA FLU Policy 1.4.1

89 The principle change proposed to Policy 1.4.1 will correct an omission in the table of land use designations.
 90 The table in this policy should include every land use designation within the Lake Asbury Master Plan, but
 91 the LA IVC land use was not included. Policy 1.4.10 includes both the Village Center (LA VC) and
 92 Interchange Village Center (LA IVC) land uses. Therefore, the “change” proposed to the table in Policy 1.4.1
 93 is not a change but is instead a correction of this omission and will not create any use or right for any property
 94 that was not already in existence. Nor will this text change affect the moratorium currently in effect.

95

96 Three secondary changes are also proposed. One will add the word “acre” which is missing from the LA MPC
 97 land use for single-family attached. One will add the word “net” which is missing from the LA AC land use.
 98 And one will correct the policy numbers in the footnote below the table.

99

100 LA FLU Policy 1.4.10

101 Three principle changes are proposed to Policy 1.4.10. The first change replicates policy text defining the
 102 density and use requirements for the LA IVC section in the same way as they are listed within the LA VC
 103 section. These uses are already provided in the LA IVC table later in that section. A second paragraph provides
 104 connectivity and open space requirements within the LA IVC which matches those in the LA VC.

105

106 The second principle change is requested by the Applicant. It will add language to two paragraphs specific to
107 the two existing LA IVC's. The language proposed supports the master plan's focus on creating a walkable
108 pedestrian connectivity throughout the plan area, while also providing recognition that uses adjacent to an
109 interstate interchange must also serve the auto-centric needs of the end users.
110

111 And the third principle change, also requested by the Applicant, would increase the maximum amount of
112 allowable Commercial/Retail acreage in the LA IVC from 40% to 65%. This change allows the two LA IVC
113 locations in the County to serve as a greater focal point for commercial and retail uses for both the interstate
114 traveler as well as local residents. Increasing the percentage of this use also translates into increased
115 employment opportunities for the local community which has long been a goal of the County.
116

117 Several secondary changes are also proposed in this policy. The first provides a heading at the beginning of
118 both the LA VC and LA IVC sections to more clearly indicate where the regulations for each begin and end.
119 The next adds the words "within the Village Centers" to clarify where the regulations that follow pertain.
120 Within the same paragraph is a correction to the Objective number for policies related to the density bonus.
121 The next provides the date of the ordinance affecting Village Centers consisting of less than ten (10) acres.
122 Another adds the words "land use" in reference to the Rural Community land use designation.
123

124 All of the changes proposed above will add clarity and consistency to the LA VC and LA IVC regulations.

125 **Recommendation**

126 Staff recommends approval of COMP 24-0025.

ORDINANCE NO. 2024-___

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, TO AMEND LA FLU POLICY 1.4.1 TO ADD RESIDENTIAL HOUSING TYPE, BASE DENSITY AND MAXIMUM DENSITY FOR THE LAKE ASBURY INTERCHANGE VILLAGE CENTER LAND USE CATEGORY (LA IVC); TO AMEND LA FLU POLICY 1.4.10 TO INCREASE THE PERCENTAGE OF COMMERCIAL/RETAIL LAND USE PERMITTED AND TO ENHANCE THE DESCRIPTION OF THE CHARACTER OF THE NON-RESIDENTIAL USES PERMITTED IN THE LA IVC LAND USE CATEGORY; 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,

WHEREAS, the Board desires to provide for greater clarity of regulation in the Lake Asbury Interchange Village Center Future Land Use category.

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 Sections 2 and 3 hereof.

Section 2. LA FLU Policy 1.4.1 of the Lake Asbury Master Plan Element of the adopted 2040 Comprehensive Plan is hereby amended as follows:

LA FLU Policy 1.4.1

The following table shows maximum density for LAMPA land use categories.

LA Land Use Category	Type Use	Base Density	Maximum Density *
LA Rural Community (LA RC)	Single-Family Detached	1 unit per 5 net acres	2 units per net acre
LA Rural Fringe	Single-Family	1 unit per net acre	3 units per net acre

(LA RF)	Detached	allowed	
LA Rural Reserve (LA RRSV)	Single-Family Detached	1.5 units per gross acre allowed	1.5 units per gross acre
LA Master Planned Community (LA MPC)	Single-Family Detached	3 units per net acre allowed	5 units per net acre
LA Master Planned Community (LA MPC)	Single-Family Attached	6 units per net acre allowed; 10 units per net acre allowed	12 units per net <u>acre</u>
LA Village Center (LA VC)	Single-Family Detached	5 units per net acre required	8 units per net acre.
LA Village Center (LA VC)	Single-Family attached/ Multi-Family	6 units per net acre required; 10 units per net acre allowed.	16 units per net acre
<u>LA Interchange Village Center (LA IVC)</u>	<u>Single-Family attached/ Multi-Family</u>	<u>6 units per net acre required; 10 units per net acre allowed.</u>	<u>16 units per net acre</u>
LA Activity Center (LA AC)	Single-Family attached/ Multi-Family	8 units per <u>net</u> acre required; 10 units per net acre allowed.	24 units per net acre

*including density awarded from wetland-upland buffers as required by Policy 1.2.1 and/or the density bonus for environmentally significant lands as permitted by Policy 1.2.2.

Section 3. LA FLU Policy 1.4.10 of the Lake Asbury Master Plan Element of the adopted 2040 Comprehensive Plan is hereby amended as follows:

**LA FLU Policy 1.4.10
Village Center and Interchange Village Center (LA VC and LA IVC)**

Village Center (LA VC):
Village Centers shall serve as the mixed-use focal point and central place of a village, and shall provide community shopping and parks, arranged in a walkable and human-scale manner. New elementary schools are encouraged to locate close to or adjacent to Village Centers. The retail and office component is limited to small-scale uses, except for stand-alone grocery stores and drug stores. Village Center size may not be greater than 75 acres, with this figure not including schools and community parks. There shall be no more than ten Village Centers in the LAMP A. Village Centers must be located around the intersections of roads classified as minor collector and above.

Within the Village Centers, residential uses are allowed in the form of small-lot single-family subdivisions, townhomes, apartments, and upper floor units above nonresidential. Project residential density shall be between five and 10 single family, single family-attached and multi-

family units per acre, not applicable to upper floor units in nonresidential developments. Projects utilizing additional density associated with wetland-upland buffer and/or environmentally significant land dedication, as described under policies associated with Objective 1.2, shall be allowed a density of up to 16 units per net acre. Nonresidential Project Floor Area Ratios shall not exceed 70%. Commercial uses must be in a compact, walkable form accessible by sidewalk.

The village center shall be designed to provide connections to the surrounding pedestrian/bicycle path system and to integrate with the street network of surrounding neighborhoods. Open space requirements will provide park space in the form of civic spaces, plazas, ~~and~~ urban parks, ~~as well as~~ or community parks, including combinations thereof. The quantification of uses shall be consistent with the ranges identified in the following table.

Land Use Sub-Category	Minimum Required (acres)	Maximum Permitted (acres)
Village Center		
Residential	25%	65%
Office	0%	25%
Commercial/Retail	25%	65%
Civic/Public Parks	10%	No Max

Notwithstanding the foregoing, any LA VC consisting of less than ten (10) acres existing as of ~~the date of adoption of this Ordinance~~ November 22, 2022 shall not be subject to the quantification of uses described in the above matrix.

Village Centers adjacent to the Rural Community land use are limited to elementary schools, parks, and rural commercial development, within individual buildings (excluding schools) not to exceed 5,000 square feet and total building area not to exceed 15,000 square feet.

Interchange Village Center (LA IVC):

The Interchange Village Centers (IVC) shall be located at the First Coast Expressway interchanges with State Road 16 and County Road 739.

Within the IVCs, residential uses are allowed in the form of attached single-family, townhomes, apartments, and upper floor units above nonresidential. Project residential density shall be between six and 10 single family-attached and multi-family units per acre, not applicable to upper floor units in nonresidential developments. Projects utilizing additional density associated with wetland-upland buffer and/or environmentally significant land dedication, as described under policies associated with Objective 1.2, shall be allowed a density of up to 16 units per net acre. Nonresidential Project Floor Area Ratios shall not exceed 70%.

The IVCs shall be designed to provide connections to the surrounding pedestrian/bicycle path system and to integrate with the street network of surrounding neighborhoods. Open space requirements will provide park space which may be in the form of civic spaces, plazas, urban parks, or community parks, including combinations thereof.

The IVC located at State Road 16 shall have a maximum size of 150 acres. Office and retail uses can be of a regional scale and shall not be limited to neighborhood and small scale uses. Commercial uses are encouraged to be in a compact, walkable form accessible by sidewalk

however interstate uses located adjacent to the interchange and larger community/regional scale commercial uses may be more auto oriented, provided enhanced pedestrian connectivity is maintained within the IVC development, to the adjacent major transportation corridors and to adjacent development. Permitted uses within this Interchange Village Center shall include light industrial. Light industrial uses shall be limited to light manufacturing and processing, assembly, packaging, fabrication, distribution, warehousing and storage of products that are not objectionable to surrounding land uses with regard to safety, smoke, noise, odor, fumes, dust, toxic chemicals and hazardous wastes. Light industrial performance standards shall be established in the Interchange Village Center zoning designation to implement this land use category.

The IVC located at County Road 739 shall have a maximum size of 18.75 acres. Office and retail uses are not limited to neighborhood and small scale uses. Commercial uses are encouraged to be in a compact, walkable form accessible by sidewalk however interstate uses located adjacent to the interchange and larger community/regional scale commercial uses may be auto oriented, provided enhanced pedestrian connectivity is maintained within the IVC development, to adjacent major transportation corridors and to adjacent development. Light industrial shall not be a permitted use within the C.R. 739 Interchange Village Center.

The quantification of land uses in an Interchange Village Center shall be consistent with the ranges identified in the following table.

Land Use Sub-Category	Minimum Required (acres)	Maximum Permitted (acres)
Interchange Village Center		
Residential	10%	50%
Office	10%	No Max
Commercial/Retail	5%	40% 65%
Light Industrial	0%	No Max
Civic/Public Parks	10%	No Max

Section 4. 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 5. The Planning and Zoning staff are authorized and directed within 10 days of the date of adoption of this Ordinance to transmit the proposed amendment package to the Florida Department of Commerce, and to other reviewing agencies, as specified in Section 163.3184, Florida Statutes.

Section 6. In accordance with Section 163.3184, Florida Statutes, if the Plan amendment provided by this Ordinance is not timely challenged, then the effective date of said Plan shall be the 31st day after the date the Department of Commerce notifies the County that the Plan amendment is complete. If the Plan amendment is timely challenged, however, said effective date shall be the date a final order is entered by the Department of Commerce or the Administrative Commission determining the amendment to be in compliance. No development orders, development permits or land uses dependent on this Plan amendment may be issued or commence before they have become effective.

