



PLANNING COMMISSION MEETING

March 4, 2025

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 February 4, 2025.

Public Comment

Public Hearings

1. Public Hearing to consider ZON 24-0034. (D. Selig)
This application is a Staff initiated amendment to the Land Development Code amending regulations in Article III and Article VIII related to residential subdivision entrances.

Staff requests continuance of this item to May 6, 2025.
2. Public Hearing to consider COMP 25-0001 and ZON 24-0036 (District 4, Comm. Condon) (J. Bryla)
 - A. COMP 25-0001
This application is a FLUM Amendment to change 7.87 acres from Commercial (COM) to Rural Residential (RR).
 - B. ZON 24-0036
This application is a Rezoning to change from Shopping Center District (BSC) to Agricultural/Residential District (AR).
3. Public Hearing to consider COMP 25-0003 and ZON 25-0002.(District 5, Comm. Burke)(J. Bryla)
 - A. COMP 25-0003
This is a privately initiated application for a FLUM Amendment to change 1 acre from Agricultural to Industrial.
 - B. ZON 25-0002
This application is a Rezoning to change from Agricultural District (AG) to Heavy Industrial District (IB).
4. Public Hearing to consider COMP 24-0020 and ZON 24-0026.(District 5, Comm. Burke)(J. Bryla)
 - A. COMP 24-0020
This application is a FLUM Amendment to change 8.9 acres from Agriculture (AG) to Industrial (IND).
 - B. ZON 24-0026

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

5. Public Hearing to Consider ZON 25-0003. (Districts 2,3,4 and 5) (B. Carson)

This is a Land Development Code change to Article III to allow for Heirs Lot Exemptions within the Branam Field Rural Suburbs and Lake Asbury Rural Community Districts.

Staff requests continuance of this item to April 1, 2025.

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, March 4 5:00 PM

TO: DATE:

FROM:

SUBJECT:

AGENDA
ITEM
TYPE:

ATTACHMENTS:

Description	Type	Upload Date	File Name
Planning Commission Meeting Minutes February 4, 2025.	Backup Material	2/25/2025	Planning_Commission_Meeting_Minutes_and_Attachments_February_4__2025.ADA.pdf



PLANNING COMMISSION MEETING MINUTES

February 4, 2025

5:00 PM

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

Pledge of Allegiance

Vice-Chairman Pete Davis led the Pledge of Allegiance.

Call to Order

Present: Commissioner Mary Bridgman, Chairman
Commissioner Pete Davis, Vice-Chairman
Commissioner Joe Anzalone @ 5:09 pm
Commissioner Howard "Bo" Norton
Commissioner Ralph Puckhaber
School Board Representative Paul Bement

Absent: Commissioner Michael Bourré
Commissioner Bill Garrison
Camp Blanding Representative Sam Tozer

Staff Present: County Attorney Courtney Grimm
Assistant County Manager Chereese Stewart
Zoning Chief Jenni Bryla

Chairman Mary Bridgman called the meeting to order at 5:02 pm.

Chairman Mary Bridgman recognized county staff members, introduced the Board members and thanked Deputy Merritt and Deputy Leonard for providing security.

1. **Approval of Minutes**

Planning Commission Meeting Minutes January 7, 2025.

Commissioner Bo Norton made a motion for approval of the January 7, 2025, Planning Commission Meeting minutes, seconded by Vice-Chairman Pete Davis, which carried unanimously.

Public Comment

Chairman Mary Bridgman opened the floor for public comment at 5:06 pm.

Hearing no comments, Chairman Mary Bridgman closed public comment at 5:06 pm.

Public Hearings

1. Public Hearing to consider ZON 24-0037. (District 5, Comm. Burke) (J. Bryla)
This application is a Rezoning to change 304.93 acres from Industrial Select District (IS) to Heavy Industrial District (IB).

Public Hearing - ZON-24-0037 can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning-Commission/February 4, 2025](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning-Commission/February%204,%202025), beginning at 6:51 and ending at 22:57 . Below is a summary of the discussion and the vote for this agenda item.

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

Jenni Bryla, Zoning Chief, presented a PowerPoint presentation to provide details and information for the public hearing to consider ZON-24-0037, the rezoning to change 304.93 acres from Industrial Select District (IS) to Heavy Industrial District (IB). See Attachment A.

Frank Miller, 1 Independent Drive, Jacksonville, FL., agent for the applicant, addressed the Commission to provide more details and information for the requested change.

There were questions and discussions regarding surrounding parcels, buffer requirements, exit from the parcel, intended use - enclosed recycling facility, widening of 15A/traffic, and surrounding development.

Chairman Mary Bridgman opened the floor for the public hearing at 5:23 pm.

Hearing no comments, Chairman Mary Bridgman closed the public hearing at 5:23 pm.

Commissioner Ralph Puckhaber made a motion for approval, seconded by Commissioner Joe Anzalone. There were comments regarding concerns with additional traffic that will be brought due to the development. The motion carried 5-0.

2. Public Hearing to consider ZON 25-0001. (District 1, Comm. Sgromolo) (J. Bryla)
This application is a Rezoning to change 2.73 acres from Agricultural Residential District (AR) to Single Family Residential District (RB).

Public Hearing - ZON-25-0001 can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning-Commission/February 4, 2025](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning-Commission/February%204,%202025), beginning at 23:06 and ending at 1:01:56. Below is a summary of the discussion and the vote for this agenda item.

Jenni Bryla, Zoning Chief, presented a PowerPoint presentation to provide details and information for the public hearing to consider ZON-25-0001, the rezoning to change 2.73 acres from Agricultural Residential District (AR) to Single Family Residential

District RB). See Attachment B.

Janis Fleet, Fleet and Associates, agent for the applicant, addressed the Commission to provide a PowerPoint presentation with more details and information for the requested change. See Attachment C.

There were questions and discussions regarding requirements for water and sewer, subdivision regulations, requirements for a minor subdivision, surrounding parcels,

Chairman Mary Bridgman opened the floor for the public hearing at 5:38 pm.

Nichol Wachter, 1508 Harvest Cove Drive, Middleburg, Florida, addressed the Commission to express concerns with the requested change.

John Wachter, 1508 Harvest Cove Drive, Middleburg, Florida, addressed the Commission to express concerns with the requested change.

Pete Mauger, 1512 Harvest Cove Drive, Middleburg, Florida, addressed the Commission to express concerns with the requested change.

Hearing no other comments, Chairman Mary Bridgman closed the public hearing at 5:44 pm.

Ms. Fleet addressed the Commission to respond to concerns raised during the public hearing.

There were questions and discussions regarding minimum lot width under the rural fringe, size of the parcel, development under the current use, clear-cutting lot, protecting wildlife, surrounding zoning, maximum density, and access to the property.

Vice-Chairman Pete Davis made a motion for approval, seconded by Commissioner Bo Norton. Following additional comments and discussions between the Commission, staff, and agent, the motion failed 2-4.

Presentations

There were no other presentations.

Old Business/New Business

1. Reorganization of Planning Commission

Re-Org of PC can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning-Commission/February 4, 2025](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Planning-Commission/February%204,%202025), beginning at 1:02:06 and ending at 1:04:37. Below is a summary of the discussion and the vote for this agenda item.

Chairman Mary Bridgman opened the floor to discuss the reorganization of the

Planning Commission.

Commissioner Joe Anzalone made a motion to nominate Vice-Chairman Pete Davis to be the Chair, seconded by Commissioner Bo Norton, the motion carried unanimously.

Vice-Chairman Pete Davis made a motion to nominate Commissioner Bo Norton to be the Vice-Chair, seconded by Commissioner Joe Anzalone, the motion carried unanimously.

Public Comment

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

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

Adjournment

Chairman Mary Bridgman noted the next PC meeting would be March 4, 2025.

There was a brief discussion regarding the upcoming agenda and connection issues to the internet.

Hearing no further business, Chairman Mary Bridgman adjourned the meeting at 6:10 pm.

Attest:

Committee Chairman

Recording Deputy Clerk

Attachment
“A”
ZON-24-0037



Rezoning Application:

ZON 24-0037

Planning Commission

February 4, 2025

Board of County Commissioners

February 25, 2025





Application Information

Applicant: Rookery Investors, LLC

Agent: Frank Miller and Rick Wood

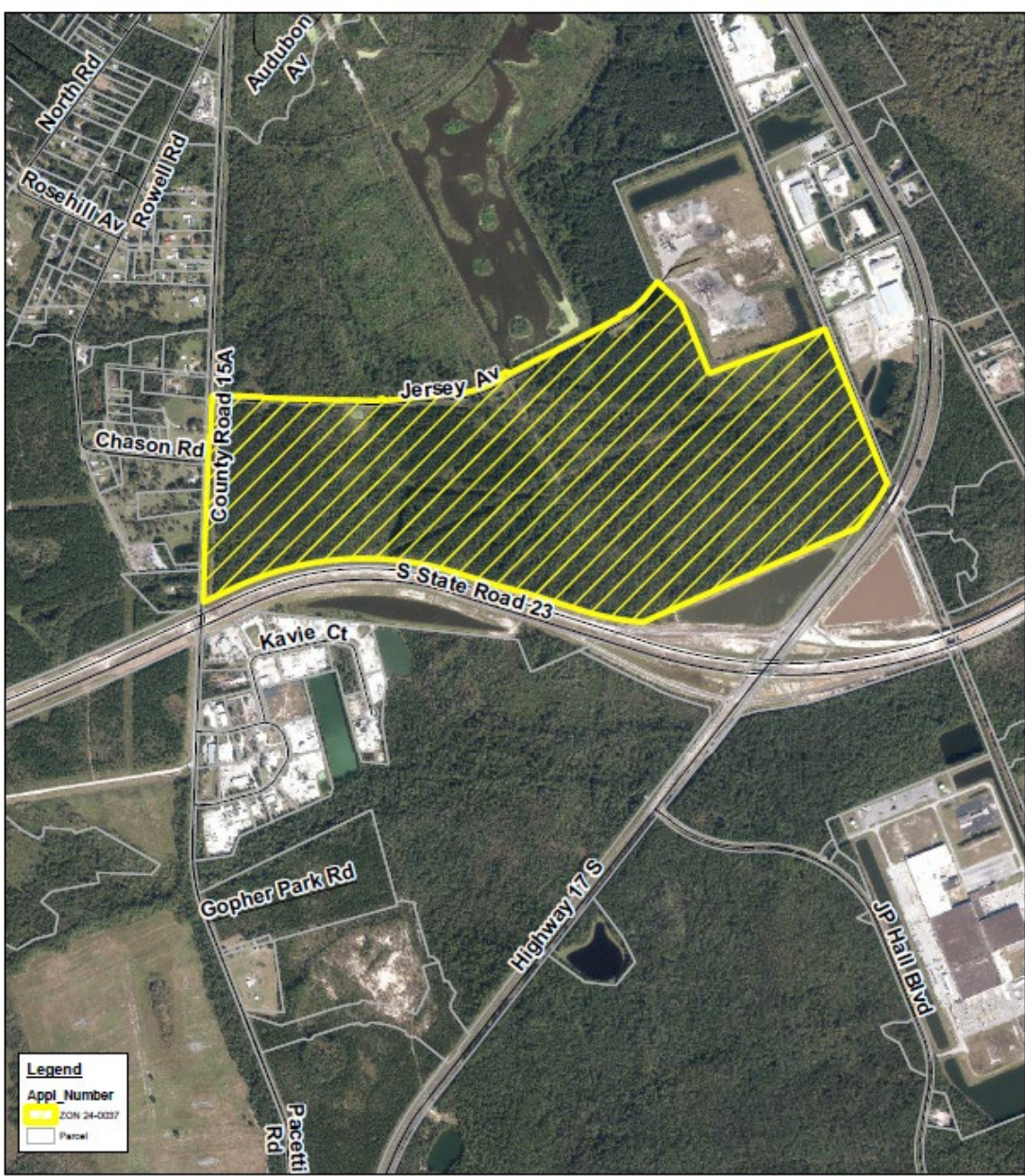
Location: The subject parcel is located at 1508 Jersey Avenue just south of the City of Green Cove Springs and is currently zoned Industrial.

Commission

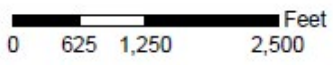
District: 5, Commissioner Burke

Parcel: 1 parcel equaling 304.93 +/- acres, requesting to be rezoned from Industrial Select (IS) to Heavy Industrial (IB).

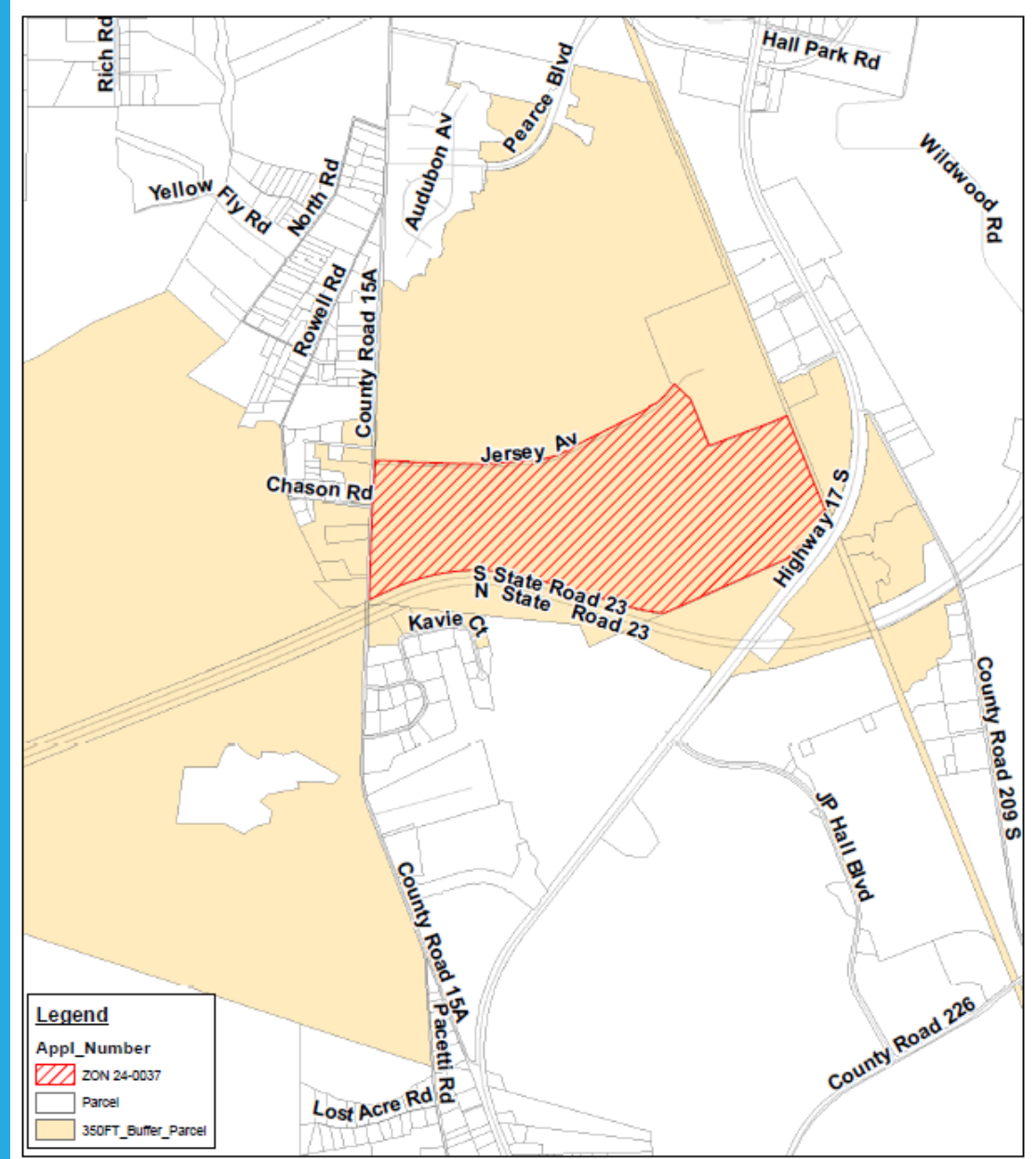
- ZON 24-0037 would change the zoning from IS (Industrial Select) to IB (Heavy Industrial).



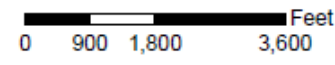
Legend
 Appl_Number
 ZON 24-0037
 Parcel



Aerial Map
Proposed Rezoning: ZON 24-0037
From IS to IB

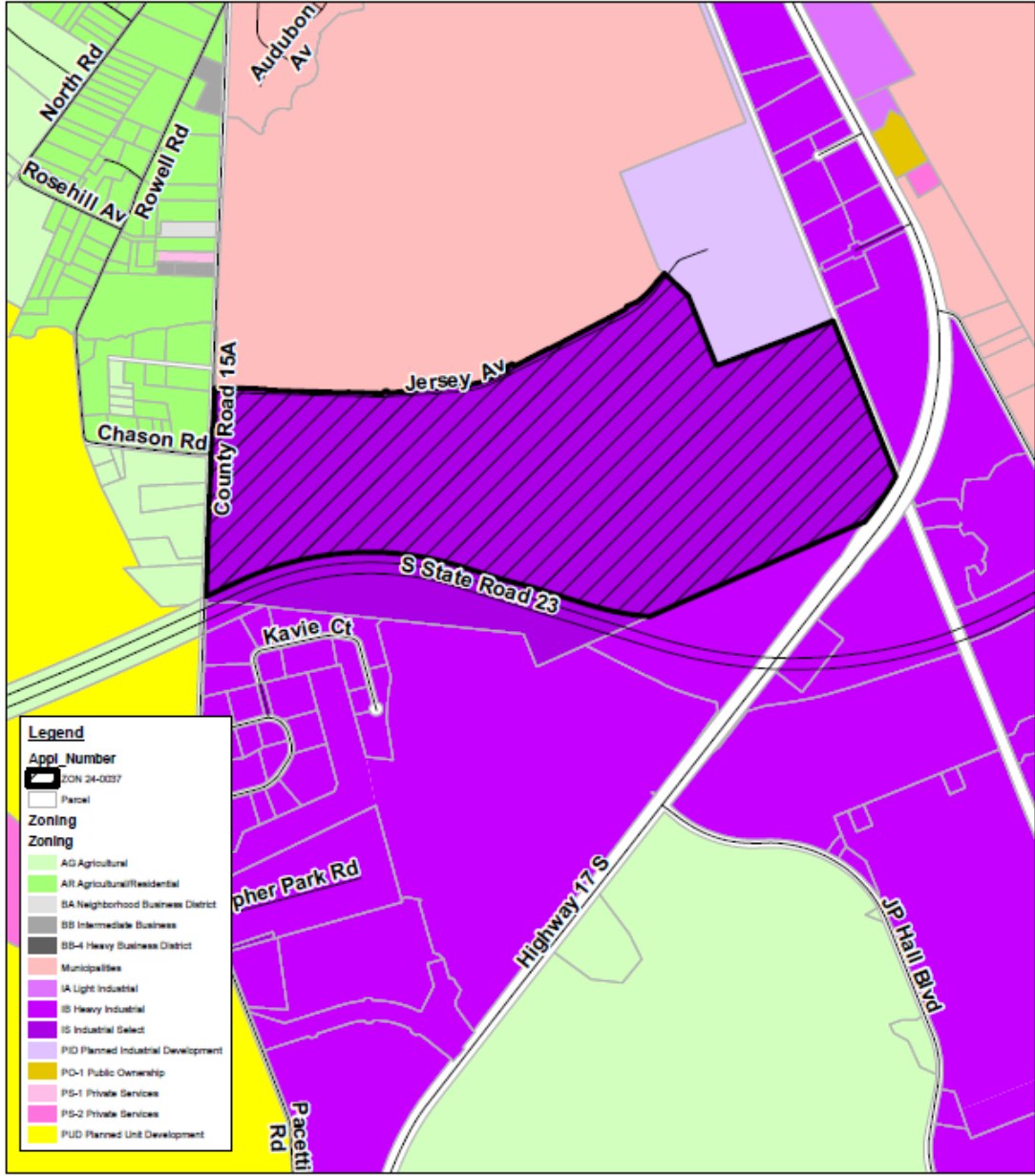


Legend
 Appl_Number
 ZON 24-0037
 Parcel
 350FT_Buffer_Parcel

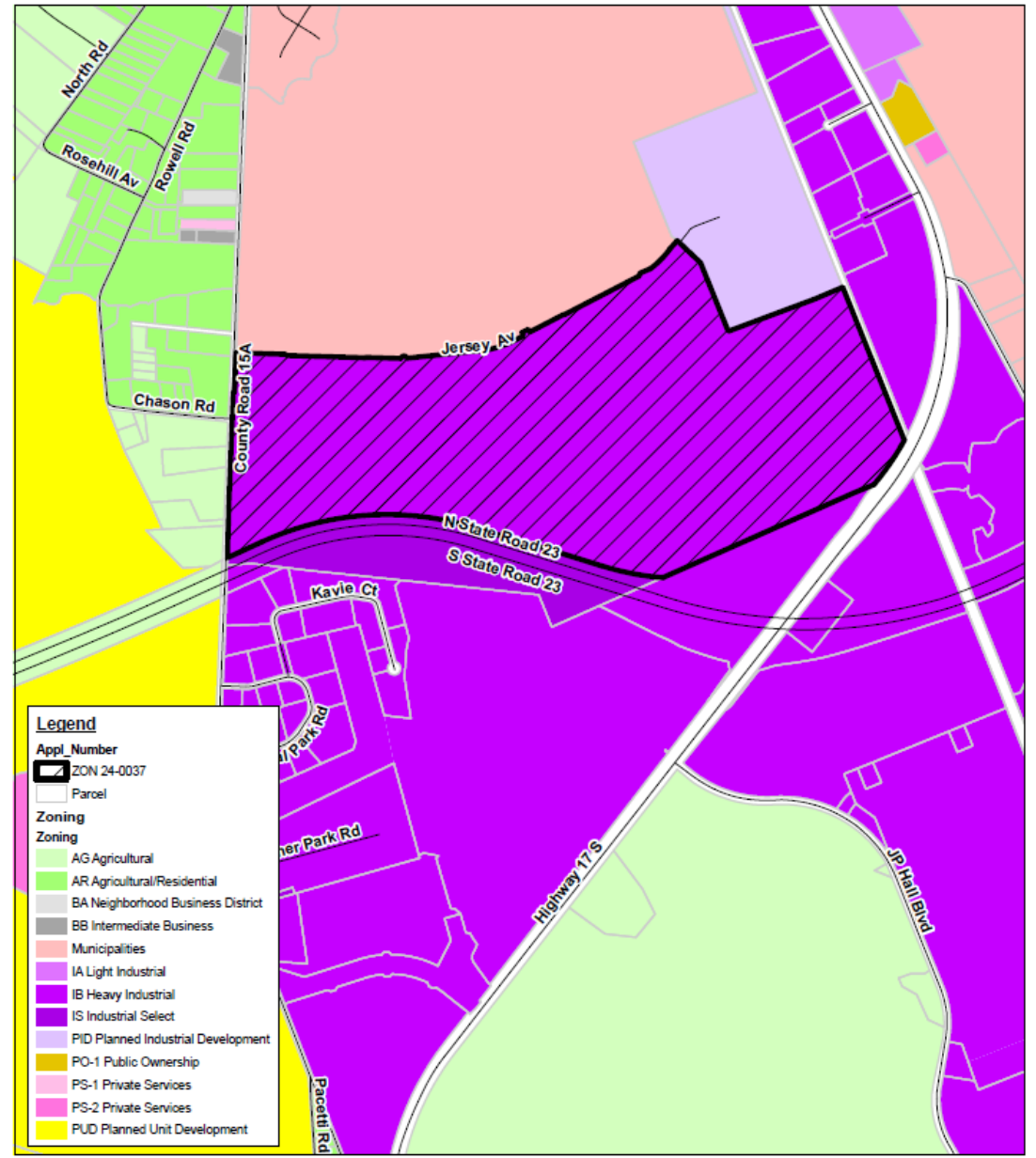
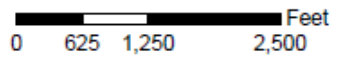


Parcel Notifications Map
ZON 24-0037

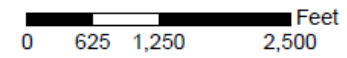




Existing Zoning
 Proposed Rezoning: ZON 24-0037
 From IS to IB



Proposed Rezoning: ZON 24-0037
 From IS to IB



ZON changes proposed for 304.93+/- acre parcel

Current zoning of IS (Industrial Select) to IB (Heavy Industrial)

- Land use of Industrial will not change
- IS allows for 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. Corporate offices which accommodate twenty-five (25) or more employees shall be allowed in this district
- IB allows for any uses in the IS district in addition to airports, landing strips, and heliports. The development and operation of these facilities shall conform to all rules and regulations of all governmental agencies having appropriate jurisdiction and to the performance standards of this Article.

Project Description

Applicant is requesting a Zoning District change from IS to IB.

Recommendations

ZON 24-0037

Staff finds that the criteria for RB Zoning district were met in the application and therefore Staff recommends approval of the request for ZON 24-0037



Attachment
“B”
ZON-25-0001



Rezoning Application:

ZON 25-0001

Planning Commission

February 4, 2025

Board of County Commissioners

February 25, 2025





Application Information

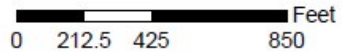
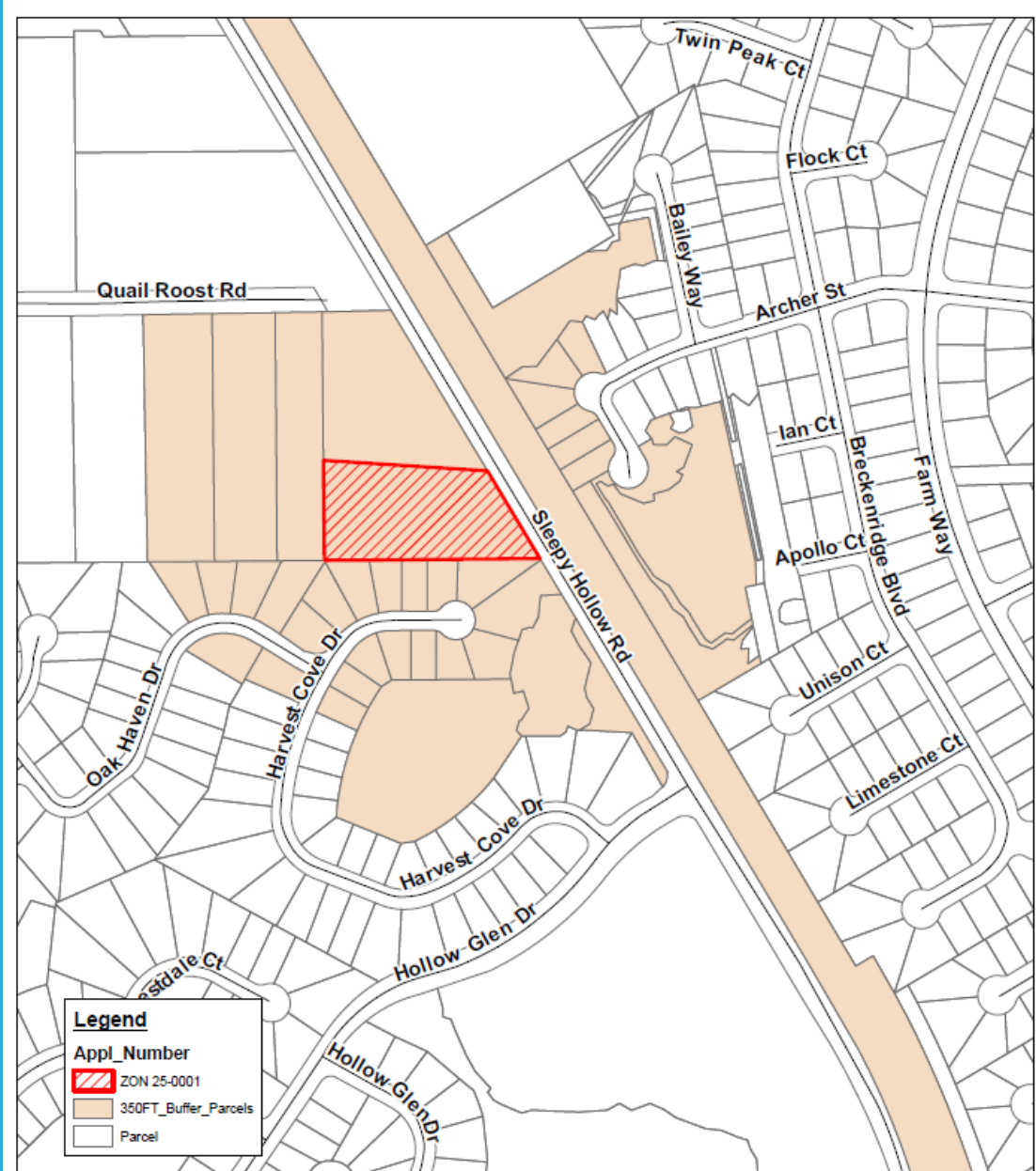
Applicant: Janis Fleet with Fleet Associates Architects & Planners
Location: The subject parcel fronts Sleepy Hollow Road and is adjacent to Doctor's Inlet Reserve subdivision to the south.

Commission

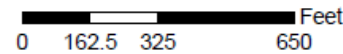
District: 1, Commissioner Sgromolo

Parcels: 1 parcel equaling 2.73 +/- acres, to be subdivided into 4 lots @ approximately 0.68+/- acres each. All parcels to front Sleepy Hollow Road.

- ZON 25-0001 would change the zoning from AR (Agricultural/Residential) to RB (Single Family-Residential District).

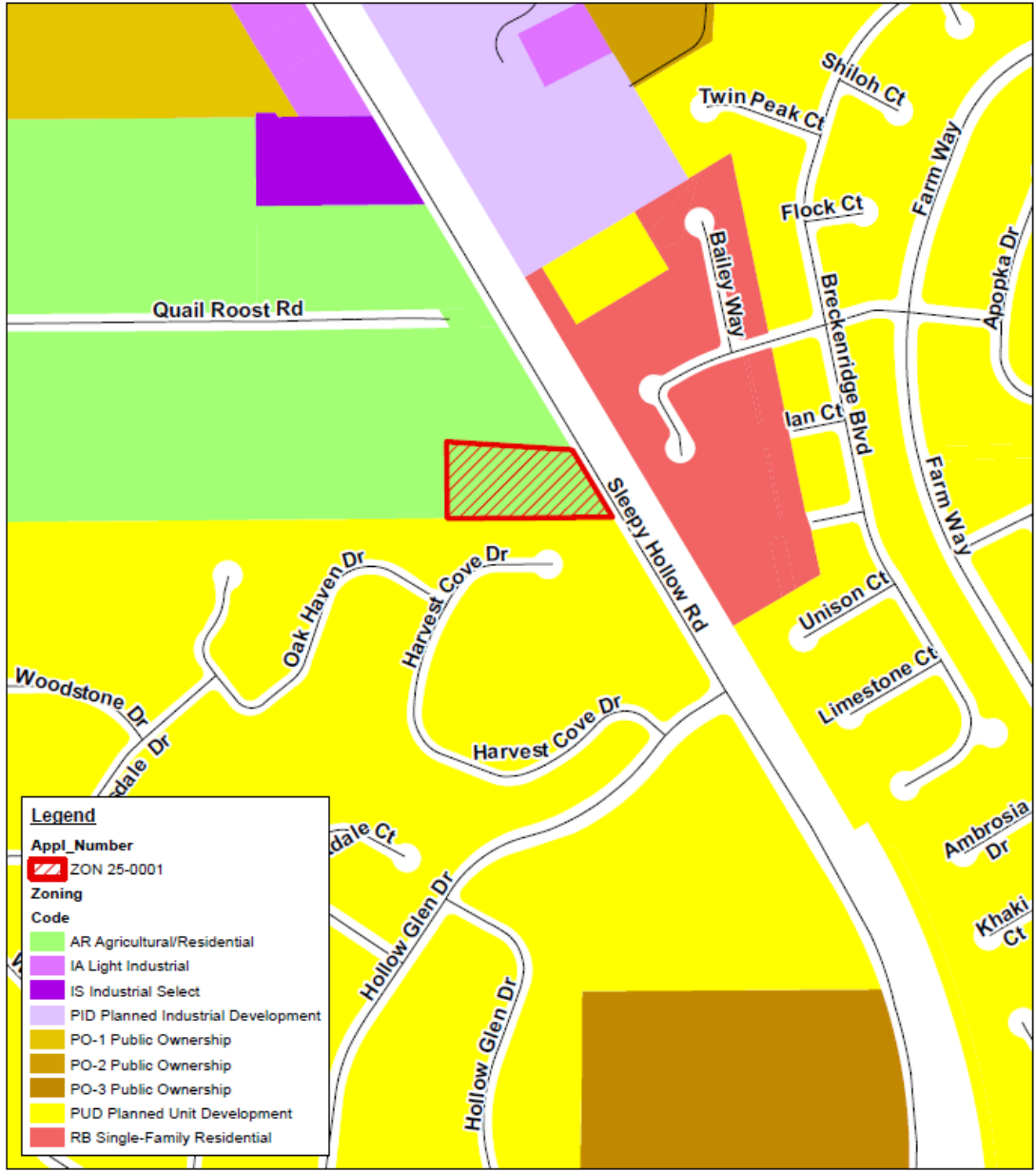


Rezoning: ZON 25-0001
from AR to RB



350' Parcel Notifications Map
ZON 25-0001



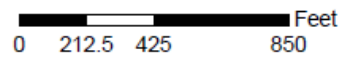


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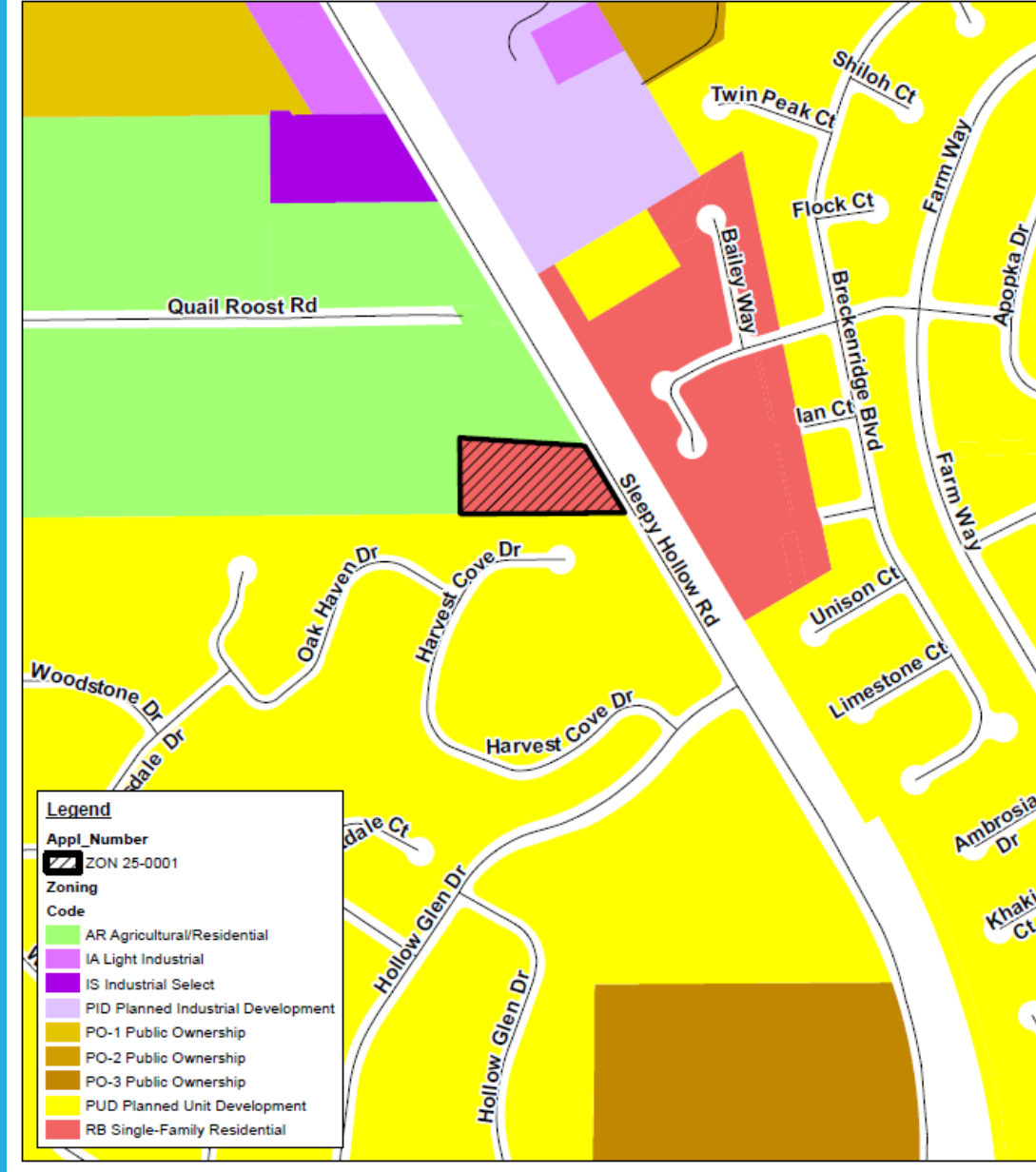
Appl. Number
ZON 25-0001

Zoning Code

AR Agricultural/Residential
IA Light Industrial
IS Industrial Select
PID Planned Industrial Development
PO-1 Public Ownership
PO-2 Public Ownership
PO-3 Public Ownership
PUD Planned Unit Development
RB Single-Family Residential



Existing Zoning
Rezoning: ZON 25-0001
from AR to RB



Legend

Appl. Number
ZON 25-0001

Zoning Code

AR Agricultural/Residential
IA Light Industrial
IS Industrial Select
PID Planned Industrial Development
PO-1 Public Ownership
PO-2 Public Ownership
PO-3 Public Ownership
PUD Planned Unit Development
RB Single-Family Residential



Proposed Zoning
Rezoning: ZON 25-0001
from AR to RB



ZON changes proposed for 2.73+/- acre parcel

Proposing 4 single family lots.

Current zoning of AR (Agricultural Residential) to RB (Single Family-Residential District)

- Land use of Rural Fringe will not change
- Proposed lot sizes will be approximately 0.68+/- acres
- Clay Utilities would provide sewer service. The applicant would be required to have a well.
- Article 3 Sec. 3-17 (e),(1),(ii) allows for up to 3 units per acre in the RB zone with Rural Fringe land use

Project Description

Applicant is requesting a 4 lot subdivision for a density of less than 3 units per net acre.

Recommendations

ZON 25-0001

Staff finds that the criteria for RB Zoning district were met in the application and therefore Staff recommends approval of the request for ZON 25-0001



Attachment
“C”
ZON-25-0001
Agent

ZON 25-0001

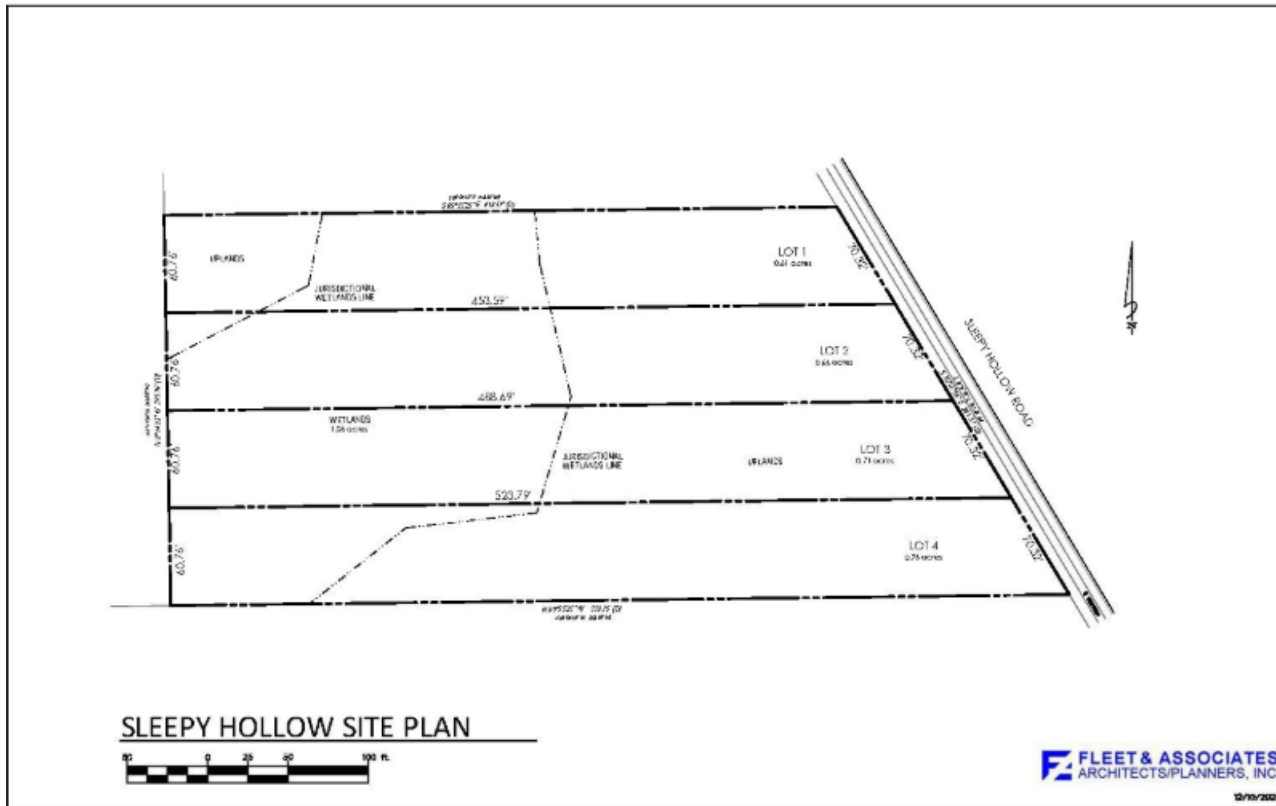
**CLAY COUNTY PLANNING COMMISSION MEETING
FEBRUARY 4, 2025**

LOCATION OF WETLANDS



PROPOSED SITE PLAN

4 SINGLE FAMILY DWELLING UNITS





Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, March 4 5:00 PM

TO: Planning Commission

DATE: 1/31/2025

FROM: Dodie Selig, AICP, Chief
Planner

SUBJECT:

This application is a Staff initiated amendment to the Land Development Code amending regulations in Article III and Article VIII related to residential subdivision entrances.

Staff requests continuance of this item to May 6, 2025.

AGENDA ITEM TYPE:

ATTACHMENTS:

Description	Type	Upload Date	File Name
▫ ZON 24-0034 - Staff Report	Cover Memo	2/26/2025	PC_Staff_Report_ZON-24-0034ada.pdf



1 **Staff Report and Recommendations for ZON-24-0034**

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 **Introduction:**

7 This application is a Staff initiated amendment to the Land Development Code amending regulations in
8 Article III and Article VIII related to residential subdivision entrances.

9

10 **Background:**

11 The Lake Asbury Master Plan contains a requirement for subdivisions of more than 100 homes to provide
12 a minimum of two (2) entrances connected to the principal roadway adjoining the property and the present
13 code allows one of those connections to be a dashed line roadway (if listed in the Capital Improvement
14 Plan) but does not make mention of when said dashed line roadway must be constructed.

15

16 This means that a subdivision of over 100 homes could be built with only one functional entrance point and
17 could continue to have only one entry for five, ten or even more years. This represents a significant safety
18 concern.

19

20 In order to ensure that proposed changes to subdivision entrance requirements in one part of the land
21 development code are standardized across all parts of the county, Staff have also reviewed the Branan Field
22 Master Plan regulations and Article VIII Design and Improvement Standards and proposed changes in
23 those section as well.

24

25 An additional goal of this amendment is to ensure that the entrance roadway criteria established in the land
26 development code also meet the requirements of the Fire code which is not the case currently. Therefore,
27 we are proposing to provide one table listing the minimum number of Primary Entrances (paved and built
28 to Engineering department standards) and the minimum number of Emergency Entrances (built to Public
29 Safety department standards). This table will be provided in Article VIII and referenced in the Lake Asbury
30 and Branan Field Master Plans.

31

32 **Summary of the Proposed Zoning Text Amendment:**

33 The following changes are proposed:

- 34 1. In Article III, the regulations related to residential development entrances in the Lake Asbury
35 Master Plan and in the Branan Field Master Plan are being deleted and replaced with the following
36 statement:
37
38 “All residential developments shall provide vehicle access points onto paved public roadways as
39 regulated in Article VIII, Sec. 8-10(3)(c).”
40
- 41 2. In Article III, under the Branan Field Master Plan subsection “B”, a portion of that regulation is
42 being moved to subsection “A” because that text is related to through street connections not to
43 development entrances. No change is being made to any of the text.
44
- 45 3. In the Branan Field Master Plan subsection “C”, two of the four criteria necessary for an exemption
46 of the through street connections regulations have been deleted.
47
- 48 4. In Article VIII, under Sec. 8-10 Access Management, multiple portions of those regulations have
49 been modified for clarity and consistency and a Residential Development Vehicle Access Points
50 table and footnotes have been added.
51

52 **Proposed Zoning Text Amendments:**

53 ARTICLE III, SECTION 3-33B.C.I.13.a.ii.B: LAKE ASBURY MASTER PLAN

54 B. ~~Residential developments with more than 100 dwelling units shall have at least two entrances~~
55 ~~fronting on the principal thoroughfare. This thoroughfare shall be classified as a minor collector or~~
56 ~~above, and shall be part of the County’s Concurrency Management System of roadways. This~~
57 ~~standard shall not apply if frontage along that thoroughfare is less than 1,000 feet, or if it is~~
58 ~~determined by the County’s Engineering Division that the additional entrance would constitute a~~
59 ~~substantive traffic safety problem. If the planned second entrance connects to the thoroughfare via~~
60 ~~a Dashed Line Roadway, residential development greater than 100 dwelling units may be approved~~
61 ~~and constructed prior to the Dashed Line Roadway being included in the financially feasible ten-~~
62 ~~year schedule of capital improvements specified in LA Policy 1.5.1. In the event that only one~~
63 ~~entrance is provided along the principal thoroughfare, the entrance must be constructed as a two-~~
64 ~~lane boulevard with a median.~~

65 All residential developments shall provide vehicle access points onto paved public roadways as
66 regulated in Article VIII, Sec. 8-10(3)(c).

67

69 A. Residential. The pattern of streets in new residential subdivisions shall provide for the continuation
70 of existing collector and in some cases local streets from adjoining areas, or for their proper
71 projection where adjoining land is not subdivided. All street stubs shall be provided with a cul-de-
72 sac that reaches the adjoining property line and is constructed at the same time that the other roads
73 are constructed for a particular project or phase of a project, and the restoration and extension of
74 the street shall be the responsibility of any future developer of the abutting land unless physical
75 constraints of the land prevent such connection. The design of a development shall allow for
76 through streets at least every one thousand feet along the periphery. As an alternative,
77 developments shall allow for through streets at least every fifteen hundred feet with a separate
78 pedestrian connection midway between street connections. The Planning Director may utilize
79 averaging to provide flexibility in administering this standard. The through street spacing
80 requirement shall be relaxed when the presence of an existing wetland or an existing development
81 (prior to plan adoption) would prevent the placement of the connection at that location. In that
82 event, the connection shall be placed outside the wetland boundary, or if the configuration of the
83 wetland area or existing development practically prohibits through streets, then that connection
84 may be eliminated.

85 Residential developments with more than 150 dwelling units must provide at least two through
86 connections to a secondary road with a classification of minor collector or above. Such connection
87 must be made prior to issuance of the building permit for the 151st dwelling unit. Residential
88 developments with more than 250 dwelling units must provide at least two through connections to
89 at least two different roads classified as minor collector or above. Residential developments with
90 more than 250 dwelling units must provide at least two through connections or construction bonds
91 for such connections to at least two different secondary roads classified as minor collector or above.
92 These connections must be completed and accepted by the County during the course of the
93 development and construction of the first 150 dwelling units. The Developer has the option of
94 delaying the completion of the additional connections if it enters into a development agreement
95 with the County prior to the issuance of the building permit for the 151st or 251st dwelling unit
96 which commits to the construction and completion of the additional connections through
97 acceptance and bonding by the County pursuant to the County's subdivision regulations. Prior to
98 the entry into a development agreement, the County must first have had an opportunity to review
99 and approve the construction plans for the additional connections and to review the projected costs
100 of constructing the additional connections (including right of way acquisition, design and other
101 soft costs, hard construction costs and County administrative costs, including attorney's fees
102 associated with the enforcement of the development agreement, in the event the County must
103 complete the project) in order to ascertain the appropriate amount of the construction bond. In
104 addition, prior to entry into the Agreement, the County must have had an opportunity to review
105 and approve the location of the additional connections. The development agreement may include
106 such other terms that the County, acting necessary, deems necessary. The development agreement

107 must contain the following material terms: (1) road improvements that must be completed and
108 accepted by the County within 18 months of the date of the Development Agreement; (2) a
109 liquidated damages clause for delay in completion; (3) a construction bond, in a form acceptable to
110 the County, or a letter of credit, in an amount sufficient to reimburse the County for all expenses
111 and damages incurred in the event of default under the terms of the development agreement by the
112 developer; (4) a mechanism for the transfer of real property upon which the additional connections
113 will be constructed in the event the developer defaults under the terms of the development
114 agreement by not commencing or completing the construction of the additional connections; and
115 (5) the amount of the construction bond. The development agreement may include such other
116 terms that the County, acting necessary, deems necessary.

117
118 ARTICLE III, SECTION 3-33A.I.7.a.ii.B:

BRANAN FIELD MASTER PLAN

119 B. ~~Residential developments with more than 100 dwelling units shall have at least two entrances~~
120 ~~fronting on the principal thoroughfare. This thoroughfare must be classified as a minor collector~~
121 ~~or above, and must be part of the County's Concurrency Management System of roadways. This~~
122 ~~standard shall not apply if frontage along that thoroughfare is less than 1,000 feet, or if it is~~
123 ~~determined by the County's Engineering Department that the additional entrance would constitute~~
124 ~~a substantive traffic safety problem. In the event that only one entrance is provided along the~~
125 ~~principal thoroughfare, the entrance must be constructed as a two-lane boulevard with a median.~~
126 ~~Residential developments with more than 150 dwelling units must provide at least two through~~
127 ~~connections to a secondary road with a classification of minor collector or above. Such connection~~
128 ~~must be made prior to issuance of the building permit for the 151st dwelling unit. Residential~~
129 ~~developments with more than 250 dwelling units must provide at least two through connections to~~
130 ~~at least two different roads classified as minor collector or above. Residential developments with~~
131 ~~more than 250 dwelling units must provide at least two through connections or construction bonds~~
132 ~~for such connections to at least two different secondary roads classified as minor collector or above.~~
133 ~~These connections must be completed and accepted by the County during the course of the~~
134 ~~development and construction of the first 150 dwelling units. The Developer has the option of~~
135 ~~delaying the completion of the additional connections if it enters into a development agreement~~
136 ~~with the County prior to the issuance of the building permit for the 151st or 251st dwelling unit~~
137 ~~which commits to the construction and completion of the additional connections through~~
138 ~~acceptance and bonding by the County pursuant to the County's subdivision regulations. Prior to~~
139 ~~the entry into a development agreement, the County must first have had an opportunity to review~~
140 ~~and approve the construction plans for the additional connections and to review the projected costs~~
141 ~~of constructing the additional connections (including right-of-way acquisition, design and other~~
142 ~~soft costs, hard construction costs and County administrative costs, including attorney's fees~~
143 ~~associated with the enforcement of the development agreement, in the event the County must~~
144 ~~complete the project) in order to ascertain the appropriate amount of the construction bond. In~~
145 ~~addition, prior to entry into the Agreement, the County must have had an opportunity to review~~

146 ~~and approve the location of the additional connections. The development agreement may include~~
147 ~~such other terms that the County, acting necessary, deems necessary. The development agreement~~
148 ~~must contain the following material terms: (1) road improvements that must be completed and~~
149 ~~accepted by the County within 18 months of the date of the Development Agreement; (2) a~~
150 ~~liquidated damages clause for delay in completion; (3) a construction bond, in a form acceptable to~~
151 ~~the County, or a letter of credit, in an amount sufficient to reimburse the County for all expenses~~
152 ~~and damages incurred in the event of default under the terms of the development agreement by the~~
153 ~~developer; (4) a mechanism for the transfer of real property upon which the additional connections~~
154 ~~will be constructed in the event the developer defaults under the terms of the development~~
155 ~~agreement by not commencing or completing the construction of the additional connections; and~~
156 ~~(5) the amount of the construction bond. The development agreement may include such other~~
157 ~~terms that the County, acting necessary, deems necessary.~~

158 All residential developments shall provide vehicle access points onto paved public roadways as
159 regulated in Article VIII, Sec. 8-10(3)(c).

161 ARTICLE III, SECTION 3-33A.I.7.a.ii.C:

BRANAN FIELD MASTER PLAN

162 C. Developments meeting the following conditions shall be exempt from the access through street
163 connection standards found in subpart BA. above. No exemption shall be allowed on developments
164 with more than 500 600 units.

- 165 • Connectivity index of 1.5 or higher
- 166 • External connection points every 700 feet (average). ~~The spacing requirement shall be relaxed~~
167 ~~when the presence of an existing wetland or an existing development (prior to plan adoption)~~
168 ~~would prevent the placement of the connection at that location.~~
- 169 • ~~Neighborhood park space exceeding 200% of the minimum required.~~
- 170 • ~~An area or office and/or commercial use must be provided at a ratio of 50 square feet per unit.~~

172 ARTICLE VIII, SECTION 8-10: ACCESS MANAGEMENT

173 (1) Applicability – This section shall be applicable to all developments, but not to individual
174 residential lots unless otherwise specifically provided.

175 (2) Site Impact Study – To ensure a development does not impose a safety hazard upon the
176 existing transportation system or the traveling public, certain developments may be required to
177 submit a site impact study prepared by an engineer registered in the State of Florida or an
178 individual certified through the American Institute of Certified Planners. The determination of
179 the requirement for a site impact study will be made during the development review process.

180 (3) General Access Provisions

181 (a) Authority – The County shall have the authority to establish, control, and limit points of
182 ingress and egress from county roadways to ensure the safety and efficiency of its
183 roadway system. These standards are intended to implement Florida law. No facilities for
184 ingress or egress to county roadways shall be constructed unless they comply with the
185 standards set forth in this section unless otherwise authorized by the County Engineer.

186 (b) Non-Residential – Non-residential roadways and other access routes shall be planned in
187 connection with the grouping of buildings, location of rail facilities, and the provision for
188 loading and maneuvering areas, sidewalks and parking areas, to minimize conflicts of
189 movement between the various types of traffic, including pedestrian traffic. Roadways
190 providing access to non-residential developments shall be designed in a manner that
191 does not create adverse impacts on existing or future residential developments. All
192 points of access shall meet the minimum requirements of this section.

193 (c) Residential – All residential developments, ~~including both single-family and multi-family,~~
194 shall have at least one point of access onto a paved public roadway ~~as shown in the table~~
195 ~~below.~~ Minor subdivisions ~~outside the Urban Service Boundary area~~ may access ~~paved or~~
196 unpaved streets if the County Engineer or his/her designee determines that the
197 infrastructure is sufficient to accommodate the new development. ~~All existing but~~
198 ~~undeveloped lots shall require a permit for access connection. Existing undeveloped lots~~
199 ~~may be permitted on paved or unpaved streets. If the proposed access connection requires~~
200 ~~a drainage structure in order to obtain access to the property, a permit shall be~~
201 ~~required and the requirements of that permit shall be further identified in this~~
202 ~~Article. If a driveway connection is off an urban or curbed roadway, the Department of~~
203 ~~Development Services shall exempt the applicant from the permit requirements. If an~~
204 ~~access connection exists on the property, the Department of Development Services shall~~
205 ~~issue an existing driveway permit. The Department of Engineering and Public Works~~
206 ~~shall evaluate the existing driveway to determine whether or not a safety or drainage~~
207 ~~upgrade will be required. If it is determined that the existing driveway does not meet~~
208 ~~acceptable standards, the applicant shall be required to submit a full driveway permit for~~
209 ~~evaluation.~~

210
211

TABLE 1. RESIDENTIAL DEVELOPMENT VEHICLE ACCESS POINTS:

<u>Number of dwelling units</u>	<u>Minimum Number of Primary Access Points</u>	<u>Minimum Number of Emergency Access Points</u>
<u>1 to 100 units</u>	<u>1</u>	
<u>101 to 600 units</u>	<u>2</u>	
<u>601 units and above</u>	<u>2</u>	<u>1</u>

212

The following requirements shall apply to all residential development vehicle access points:

213

214

215

216

1. Required Primary Access Points shall be paved access, built to County Engineering standards, and fronting on a principal thoroughfare that is classified as a minor collector or above and part of the County’s Concurrency Management System of roadways.

217

218

219

2. If any Primary Access Point connects to a Dashed Line Roadway, the Dashed Line Roadway shall be improved to County standards to the point of access at the time that Primary Access Point is created.

220

221

222

223

3. Primary Access Points which connect to private roads within a development may be gated, so long as the operation of each gate provides on-demand access to each resident of the gated community as well as the Public Safety Department. Residential developments utilizing public roads shall not be gated.

224

225

4. The County’s Engineering Department may provide additional requirements when a proposed access point location would constitute a substantive traffic safety issue.

226

227

5. Emergency Access Points shall be constructed to meet the requirements of the Public Safety Department.

228

(4) Nonconforming Vehicle Access Points

229

230

231

(a) Existing access connections that do not conform with the standards established herein shall be deemed nonconforming and shall be brought into compliance with the applicable standards of this section under the following conditions:

232

233

1. When a new driveway connection permit is requested for the related development;

234

235

2. When substantial enlargements or improvements to the related development are undertaken;

236

237

3. When significant changes in trip generations attributable to the related development are documented.

238

239

4. If the principal activity on property with any nonconforming access driveways is discontinued for a consecutive period of 365-180 days.

240

(5) Minimum Connection Spacing Requirements

241 All developments shall be required to comply with the minimum connection spacing
 242 requirements as specified in the following table:

243
 244

TABLE 2. MINIMUM CONNECTION SPACING REQUIREMENTS

<u>Functional Class</u>	<u>Medians</u>	<u>Connection Spacing (feet)</u>		<u>Median Opening Spacing (feet)</u>		<u>Signal Spacing (feet)</u>
		<u>>45 mph</u>	<u><45 mph</u>	<u>Directional</u>	<u>Full</u>	
<u>Arterials</u>	<u>Restrictive</u>	<u>660</u>	<u>440</u>	<u>1,320</u>	<u>2,640</u>	<u>2,640</u>
	<u>Non-Restrictive</u>	<u>660</u>	<u>440</u>	<u>NA</u>	<u>NA</u>	<u>2,640</u>
<u>Collectors</u>	<u>Restrictive</u>	<u>440</u>	<u>245</u>	<u>660</u>	<u>2,640/ 1,320</u>	<u>1,320</u>
	<u>Non-Restrictive</u>	<u>440</u>	<u>245</u>	<u>NA</u>	<u>NA</u>	<u>1,320</u>

245
 246
 247
 248

Table Terms: As used in Table 3, the term "Restrictive" shall describe a median that physically prevents vehicle crossings and "Non-Restrictive" shall describe a median that allows vehicle turns at any point.

249 **(4) (6) Driveway Design**

- 250 (a) Grades – Driveway grades shall conform to the applicable requirements set forth in
 251 the FDOT's "Roadway and Traffic Design Standards".
- 252 (b) Approaches – Driveway approaches must be designed and located to provide an
 253 existing vehicle with an unobstructed view. Proposed connections shall have no
 254 fences, walls, hedges, or other obstacles that will obstruct vision between a height
 255 of two and one half feet and ten feet above the centerline grade of the intersecting
 256 driveway. Clear sight triangles must conform with the requirements in Article I.
- 257 (c) Accessing into Auxiliary Lanes – Construction of driveways within auxiliary lanes and
 258 tapers shall be prohibited except by approval of the County Engineer, and only
 259 after submission of a site impact study pursuant to the requirements of subsection
 260 (2) that clearly justifies the need for the driveway at the proposed location.
- 261 (d) Width, Flare or Radius – Driveway width, flare and radius shall be adequate to serve
 262 the volume of traffic and provide for rapid movement of vehicles entering and exiting
 263 the roadway, but shall not be so excessive as to pose safety hazards for pedestrians,
 264 bicycles, or other vehicles. The following standards shall be applicable to all
 265 developments in the unincorporated area of the county:
- 266 1. Driveway Width – All driveway widths shall be in accordance with the
 267 following requirements:

- 268 a. All one-way driveways shall have a minimum width of sixteen feet
 269 and shall have appropriate signage designating the driveway as a
 270 one-way connection.
- 271 b. All two-way driveways shall have a minimum width of twelve feet
 272 per lane.
- 273 c. Driveways that access onto designated arterials or minor and
 274 major collectors at traffic signals shall have a minimum width of
 275 three lanes. The design of the three lanes shall be such that two
 276 of the lanes are outbound, one for each turning direction with a
 277 minimum width of twenty-four feet, and the third lane is inbound
 278 with a minimum width of twelve feet.
- 279 2. All flares shall have a minimum width of ten feet on urban sections.
- 280 3. All return radii shall be a minimum of thirty feet and shall not exceed
 281 seventy- five feet for all roadway types.
- 282 4. All divisional driveway islands shall be a minimum of four feet in width.
- 283 5. The length of driveways or "Throat Length" as used in the table below shall
 284 be designed in accordance with the anticipated storage length for entering
 285 and exiting vehicles to prevent vehicles from backing into the flow of traffic
 286 on the public street or causing unsafe conflicts with on-site circulation.
 287 All non- residential developments in excess of thirty thousand square feet
 288 of gross floor area, and all multifamily developments, shall be required to
 289 have a minimum of one driveway storage lane that does not permit
 290 parking and does not allow direct access onto any part of the required
 291 length. Additional driveway storage lanes and applicable throat lengths shall
 292 be determined and located on the site impact study required for the
 293 development, which study shall consider the number of driveway access
 294 sites and the anticipated trip distribution to the site.

295 All development shall comply with the following storage lane requirements:

296 **Table 23. Throat Lengths**

Gross Square Footage	Throat Length
30,000 to 49,999	60 feet
50,000 to 74,999	90 feet
75,000 to 99,999	120 feet
100,000 or greater	15 feet for every 10,000 square feet of space

- 298
 299 (e) Number of Driveway Connections and Spacing – Driveway widths, spacing, radii,
 300 and minimum angles for individual single-family residential lots and ~~commercial~~
 301 non-residential driveways shall be based on the following guidelines:

- 302 1. The maximum number of driveways allowed for non-residential

303 projects ~~other than single family residential units~~ shall be as follows:

304 a. Non-residential property ~~and multifamily~~ with two hundred feet of
305 frontage or less shall have one driveway.

306 b. Non-residential property ~~and multifamily~~ with more than two
307 hundred feet of frontage ~~shall~~ may have two driveways.
308 Developments shall not be allowed more than two driveways on a
309 single frontage without a site impact study that demonstrates the
310 necessity for additional driveways and the approval of the County
311 Engineer. Two one-way driveways shall equate to one driveway for
312 the purposes of this requirement.

313 2. Single-family residential ~~units-lots~~ shall generally be limited to one driveway.
314 Circular driveways with two connections shall be permitted with a
315 minimum 100-foot of frontage. Single-family residential driveway
316 connections shall be restricted to local roads unless otherwise approved
317 by the County Engineer. Planned developments shall incorporate design of
318 the roadway systems to alleviate residential driveway connections to
319 arterials and major and minor collectors.

320 ~~3. Where driveways are constructed within the limits of existing curb and
321 gutter construction, the existing curb and gutter shall be removed either to
322 the nearest joints or to the extent that no remaining section is less than five
323 feet long. If the curb is not removed to the nearest joint, the curb will be
324 cleanly cut with a concrete saw. Driveway material type should conform
325 to the original construction on a section unless otherwise specifically
326 approved on the permit.~~

327 (f) Alignment / Offset

328 1. Non-residential (including commercial, office, industrial and multi-family
329 residential) driveway connections shall align with other driveways on the
330 opposite side of undivided roadways classified as local roads or minor
331 collectors, or shall be offset a minimum of 150 feet. Offset requirements
332 may be increased where auxiliary lanes are required.

333 2. The location of non-residential driveways should be compatible with the
334 internal movement of traffic and the planned parking layout. The location
335 of the driveway connection shall never allow vehicles to back across the
336 throat of a driveway or back into the "through" travel lane.

337 (g) Corner Clearance

338 1. Standard – Corner clearance for all non-residential driveway connections
339 shall be a minimum of 200 feet from all roadway intersections measured
340 from the right-of-way line to the centerline of the driveway. Where
341 widening, relocation, or other improvement to a road are depicted on the
342 Future Transportation Functional Classification Map and required funds

343 have been allocated in the five-year Capital Improvements Plan or the
 344 five-year FDOT Work Program, the projected future right-of-way of an
 345 intersecting road shall be used in measuring corner clearance. Residential
 346 connections shall be set ten feet beyond the point of curve from the
 347 intersection curve-out.

348 2. Intersections – New connections shall not be permitted within the
 349 functional area of an intersection or interchange as defined by the
 350 connection spacing standards of this code.

351 3. Exception – Where no other reasonable access to the property is available and
 352 it is demonstrated that suitable joint access driveways or cross access
 353 driveway easements cannot be obtained, the county may allow construction
 354 of a driveway along the property line farthest from the intersection if
 355 justified under a site impact study submitted pursuant to the requirements
 356 of subsection 2 above. The site impact study must indicate conclusively
 357 that the driveway shall not create a safety or operational hazard or
 358 dysfunction. If the driveway is permitted, the County Engineer shall have
 359 the authority to limit the same to a directional connection such as right-
 360 in/right-out, right-in only or right-out only.

361 ~~All developments shall be required to comply with the minimum connection spacing~~
 362 ~~requirements as specified in the following table:~~

363

364 **Table 3. Minimum Connection Spacing Requirements**

Functional Class	Medians	Connection Spacing (feet)		Median Opening Spacing (feet)		Signal Spacing (feet)
		>45 mph	<45 mph	Directional	Full	
Arterials	Restrictive	660	440	1,320	2,640	2,640
	Non-Restrictive	660	440	NA	NA	2,640
Collectors	Restrictive	440	245	660	2,640/ 1,320	1,320
	Non-Restrictive	440	245	NA	NA	1,320

365 ~~Table Terms: As used in Table 3, the term "Restrictive" shall describe a median that~~
 366 ~~physically prevents vehicle crossings and "Non-Restrictive" shall describe a median that allows~~
 367 ~~vehicle turns at any point.~~

368
 369
 370 (h) Residential Non-Curbed Driveway Requirements - All existing but undeveloped lots

371 shall require a driveway permit for access connection. In addition to the requirements
372 within this Article, a residential non-curbed driveway shall include a drainage pipe or
373 structure compliant with this Article and ~~the~~ FDOT Standards and shall be subject
374 to the following:

- 375 1. The elevations, diameter and material of the pipe shall be determined by the
376 Department of Engineering ~~and Public Works~~, consistent with the
377 specifications outlined in this Article.
- 378 2. All access culvert pipes shall terminate with a mitered end section and
379 concrete poured in place collars and turndowns meeting FDOT Design
380 Standards, Index Detail 272.
- 381 3. The Department of Engineering ~~and Public Works~~ shall inspect the access
382 connection for conformity with the regulations defined herein and shall re-
383 inspect the conditions as warranted to ensure compliance. A fee, as
384 determined by the BCC, shall be paid for each inspection.
- 385 4. The Department of Engineering ~~and Public Works~~ may authorize a tolerance for
386 elevations if it is determined that the exiting or proposed elevation will be
387 acceptable for drainage and will not impact any downstream activities.
- 388 5. Fees for driveway and connection permits shall be set by the BCC in a
389 separate fee resolution. The applicant shall, at a minimum, pay an initial fee for
390 the permit and any subsequent inspection.
- 391 6. If the access is off a paved roadway, the applicant shall pave the proposed
392 driveway, at a minimum, from the edge of the paved surface to the right-of-
393 way line.
- 394 7. If pavement markings or signage ~~is~~ are required, they shall conform to
395 the Manual of Uniform Traffic Control Devices (MUTCD), latest edition.
- 396 8. As of June 12, 2018, once the driveway has been permitted inspected and
397 approved by Clay County, Clay County will assume maintenance responsibility
398 for the drainage pipe or structure installed under the driveway in the right of
399 way; however, the property owner shall remain responsible for all maintenance
400 obligations for upkeep and replacement of the driveway. Replacement shall
401 constitute a new application for a driveway permit.

402 (i) Residential Curbed Driveway Requirements - Driveways must maintain proper
403 drainage to prevent water from pooling on the roadway. The slope must not interfere
404 with stormwater runoff or create hazards. Any modification that affects the sidewalk or
405 drainage system will need county approval.

406 (j) Non-Residential Driveways - All Major and Minor developments shall have the
407 access permitted during the development review process outlined in Article II of the
408 Clay County Land Development Code. The size, installation, type and other
409 requirements shall be in accordance with this Article. In the event that a

410 commercial property is undeveloped, but requires access, the applicant shall apply
411 for a permit. If the access connection is located on an urbanized (curbed) section of
412 roadway, the driveway design shall be in accordance with this Article and FDOT
413 Standards. If the access connection is located on a rural (ditch) designed roadway a
414 permit shall be required in accordance with this Article and FDOT Standards and
415 subject to the following:

- 416 1. The elevations, diameter, and material of the pipe shall be determined by a
417 licensed professional engineer and by the Engineering Division.
- 418 2. All access culvert pipes shall terminate with a mitered end section and
419 concrete poured in place collar with turndown meeting FDOT Standard
420 Index Detail 272.
- 421 3. The Engineering Division shall inspect the access connection for conformity
422 with the regulations defined herein and shall re-inspect the conditions as
423 warranted to ensure compliance. A fee, as determined by the BCC, shall be
424 paid for each inspection.
- 425 4. The Engineering Division may authorize a tolerance for elevations if it is
426 determined that the exiting or proposed elevation will be acceptable for
427 drainage and will not impact any downstream activities.
- 428 5. Fees for driveway and connection permits shall be set by the BCC in a
429 separate fee resolution. The applicant shall, at a minimum, pay an initial fee
430 for the permit and any subsequent inspection.
- 431 6. If the access is off a paved roadway, the applicant shall pave the proposed
432 driveway, at a minimum, from the edge of the paved surface to the right-of
433 way line.
- 434 7. If pavement markings or signage is required, they shall conform to the
435 Manual of Uniform Traffic Control Devices (MUTCD), latest edition.
- 436 8. As of June 12, 2018, once the driveway has been permitted inspected and
437 approved by Clay County, Clay County will assume maintenance
438 responsibility for the drainage pipe or structure installed under the driveway
439 in the right of way; however, the property owner shall remain responsible
440 for all maintenance obligations for upkeep and replacement of the driveway.
441 Replacement shall constitute a new application for a driveway permit.

442 (k) Driveway Upgrades- For both residential and non-residential properties, if it is
443 determined when a new building permit is required for the reconstruction of a
444 primary residential dwelling or a change in use, site modification, minor
445 development review, or major development review for nonresidential, the applicant/
446 owner shall be responsible for modifying or replacing the existing driveway to meet
447 the standards within this Article and the FDOT Standards. A permit shall be
448 required and follow the procedures as outlined in Section 4 (h)(i) of this Article.
449 Any permit for accessory buildings or building additions that do not exceed 50% of

450 the size of the current structure for residential properties shall not require a driveway
451 upgrade. Any non-residential permit that does not exceed a cost of \$25,000.00 shall
452 also be exempted.

453 1. Where driveways are constructed within the limits of existing curb and
454 gutter construction, the existing curb and gutter shall be removed either to
455 the nearest joints or to the extent that no remaining section is less than five
456 feet long. If the curb is not removed to the nearest joint, the curb will be
457 cleanly cut with a concrete saw. Driveway material type should conform
458 to the original construction on a section unless otherwise specifically
459 approved on the permit.

460 ~~(5) Median Access Points—Median access points on arterial roadways shall be allowed only~~
461 ~~at intersections of other arterial roadways, collector roadways or any other roadway for~~
462 ~~which a site impact study provides a compelling justification. Auxiliary lanes may be~~
463 ~~required by the County Engineer if reasonably necessary to promote safety or to preserve~~
464 ~~and promote the function of the roadway.~~

465 ~~(6) Nonconforming Access Connections~~

466 ~~a.—Permitted access connections in place on the date of adoption of this code that do not~~
467 ~~conform with the standards established herein shall be deemed nonconforming and~~
468 ~~shall be brought into compliance with the applicable standards of this section under the~~
469 ~~following conditions:~~

470 ~~i.—When a new driveway connection permit is requested for the related~~
471 ~~development;~~

472 ~~ii.—When substantial enlargements or improvements to the related development are~~
473 ~~undertaken; or,~~

474 ~~iii.—When significant changes in trip generations attributable to the related~~
475 ~~development are documented.~~

476 ~~iv.—If the principal activity on property with any nonconforming access driveways is~~
477 ~~discontinued for a consecutive period of 365 days.~~

478

479 **Analysis of Proposed Zoning Text Amendment**

480 In reviewing proposed Amendments to the Code, the following criteria may be considered along with such
481 other matters as may be appropriate to the particular application:

482
483 (a) Whether the proposed amendment is necessary as a result of a change of Florida, is corrective in
484 nature, or is necessary to implement the requirements of the Code or the Plan; and

485 Staff Finding: The proposed text amendment is necessary in order to address safety concerns and provide
486 greater standardization of regulations for residential development access points on a county-wide basis.

487 (b) The relationship of the proposed change to the policies and objectives of the Plan with
488 consideration as to whether the proposed change will further the purposes and intent of the Code and the
489 Plan.

490 Staff Finding: The proposed amendment will support the purposes and intent of the Code by providing
491 increased clarity and direction regarding the provision of vehicle access points for future residential
492 development.

493

494 **Lake Asbury-Penney Farms CAC**

495 The CAC will hear this item at their meeting on February 13, 2025 and will provide a recommendation on
496 the portion of the proposed changes that specifically applies to the Lake Asbury Master Plan regulations.

497

498 **Recommendation**

499 Staff recommends approval of ZON-24-0034.

500



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, March 4 5:00 PM

TO: Planning Commission

DATE: 1/9/2025

FROM: Jenni Bryla, Zoning Chief

SUBJECT:

A. COMP 25-0001

This application is a FLUM Amendment to change 7.87 acres from Commercial (COM) to Rural Residential (RR).

B. ZON 24-0036

This application is a Rezoning to change from Shopping Center District (BSC) to Agricultural/Residential District (AR).

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

The subject parcel is located on the State Road 21/Blanding Blvd, just south of South Periwinkle Avenue. This parcel is undeveloped land.

A companion Rezoning application from BSC to AR follows this comprehensive plan amendment.

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Applicant

Applicant: Natividad Santos

ATTACHMENTS:

Description	Type	Upload Date	File Name
-------------	------	-------------	-----------

<ul style="list-style-type: none"> ▫ Staff Report for COMP 25-0001 	Cover Memo	2/26/2025	COMP_25-0001_-_ordinance_-DRAFTada.pdf
<ul style="list-style-type: none"> ▫ Land Use Application COMP 25-0001 	Backup Material	2/26/2025	Land_Use_Application_Documentation_v1ada.pdf
<ul style="list-style-type: none"> ▫ Ordinance Final 	Ordinance	3/4/2025	COMP_25-0001_-_ordinance_-FINAL.ADA.pdf
<ul style="list-style-type: none"> ▫ Staff Report for ZON 24-0036 	Cover Memo	3/4/2025	2024_ZON_24-0036_Staff_Report_-_jb_revisedada.pdf
<ul style="list-style-type: none"> ▫ application ZON 24-0036 	Backup Material	2/26/2025	Zoning_application_v1_(1)ada.pdf
<ul style="list-style-type: none"> ▫ Ordinance-FINAL 	Ordinance	3/4/2025	ZON_24-0036_Ordinance-FINAL.pdf



1 **Staff Report and Recommendations for COMP 25-0001**

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: Natividad Santos

Address: 2746 Poinsettia Ave.

Agent: Owner

Middleburg, FL 32068

Phone: 904-349-9681

Email: Ncrs0725@gmail.com

7

8 **Property Information**

Parcel ID: 35-05-24-006699-944-00

Address: SR 21 south of Periwinkle Ave.

Current Land Use: COM (Commercial)

Current Zoning: BSC (Shopping Center District)

Proposed Land Use: RR (Rural Residential)

Acres: 7.87 +/- acres

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 single parcel of land from COM (Commercial) to RR (Rural
13 Residential). The Applicant would like to build a single-family home on the property.

14

15 The subject parcel is located on the State Road 21/Blanding Blvd, just south of South Periwinkle Avenue. This
16 parcel is undeveloped land.

17

18 A companion Rezoning application from BSC to AR-1 follows this comprehensive plan amendment.

19

20

Figure 1 – Location Map

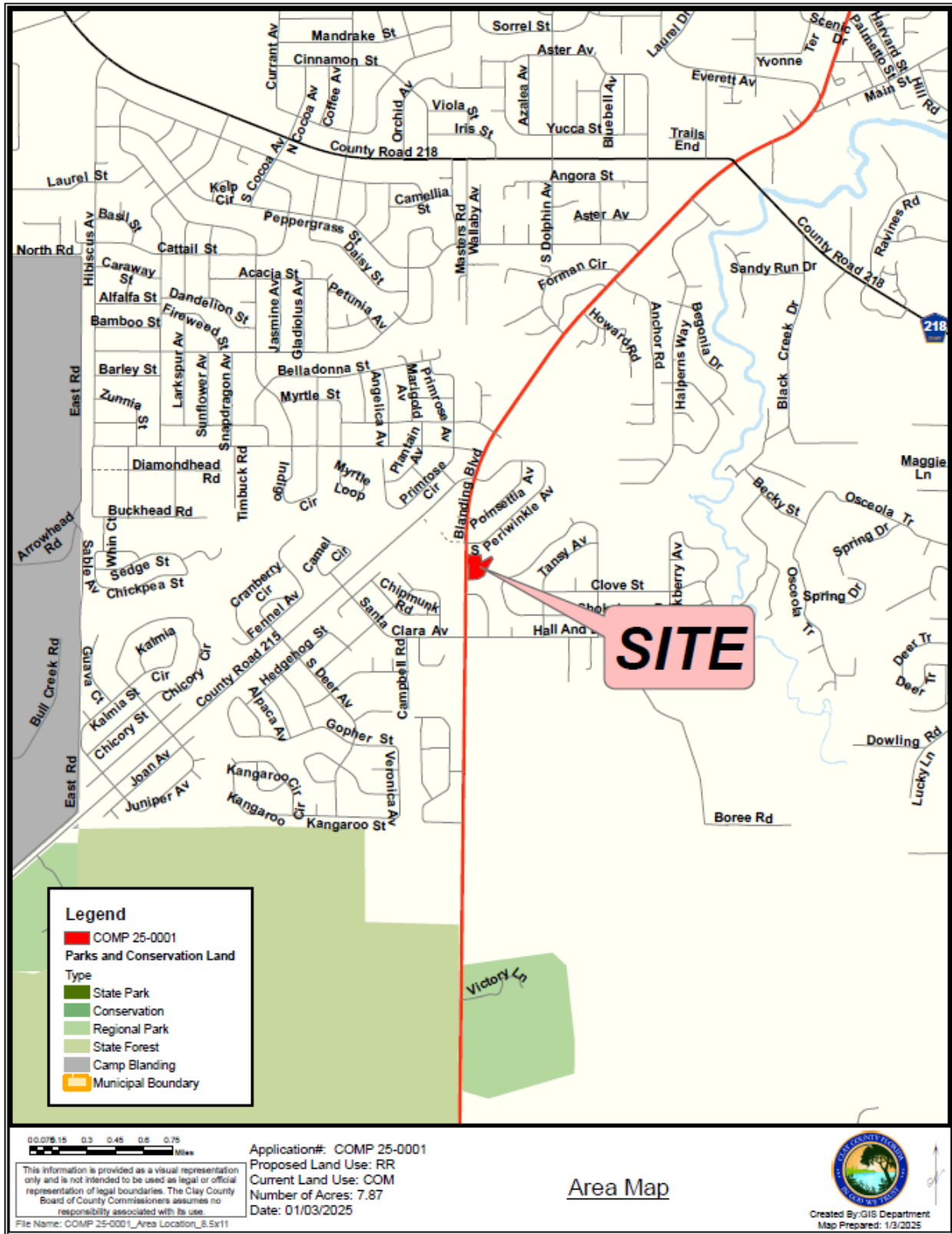


Figure 2 – Parcel Map

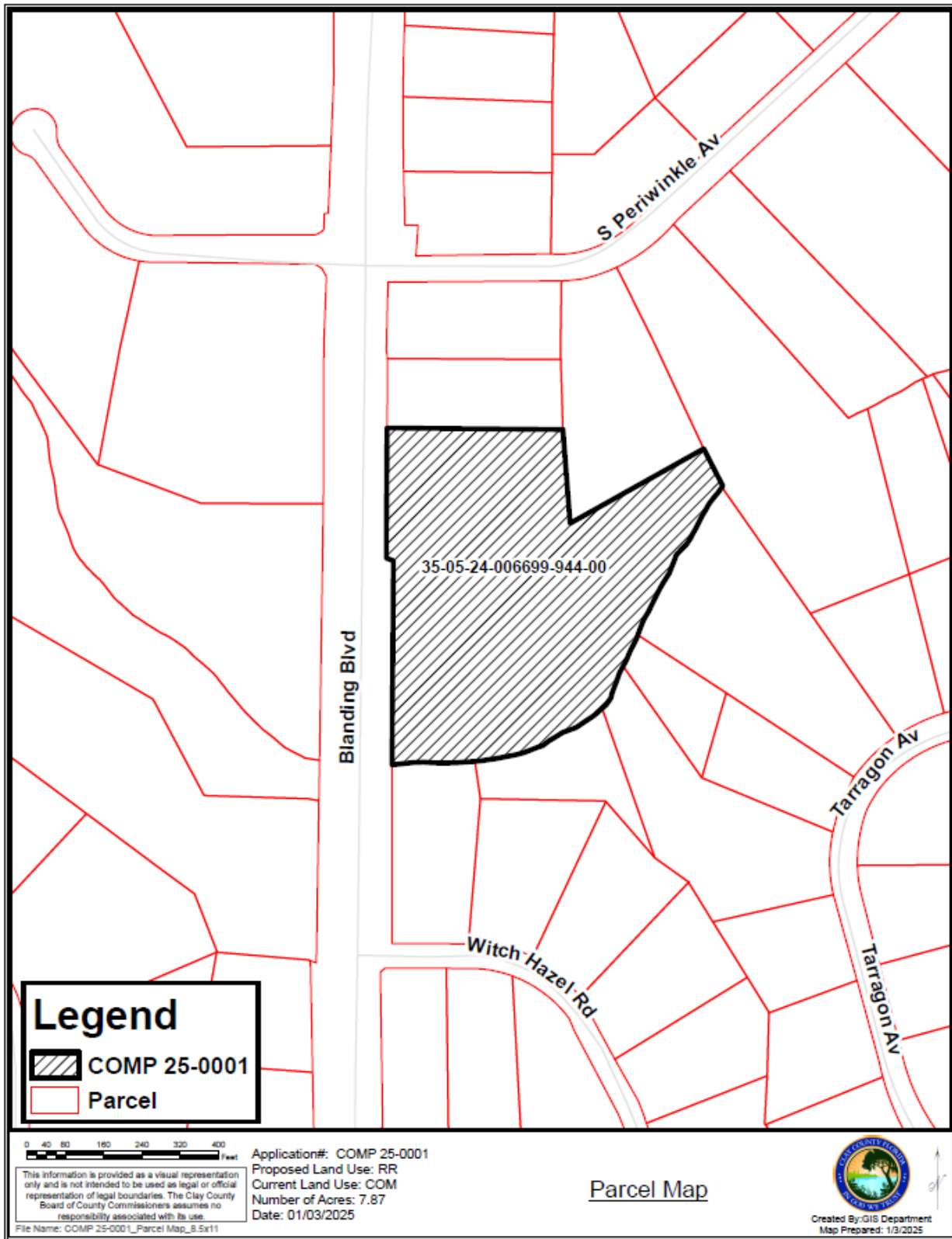


Figure 3 - Aerial Photo



Figure 4 – Existing Future Land Use Designation Map

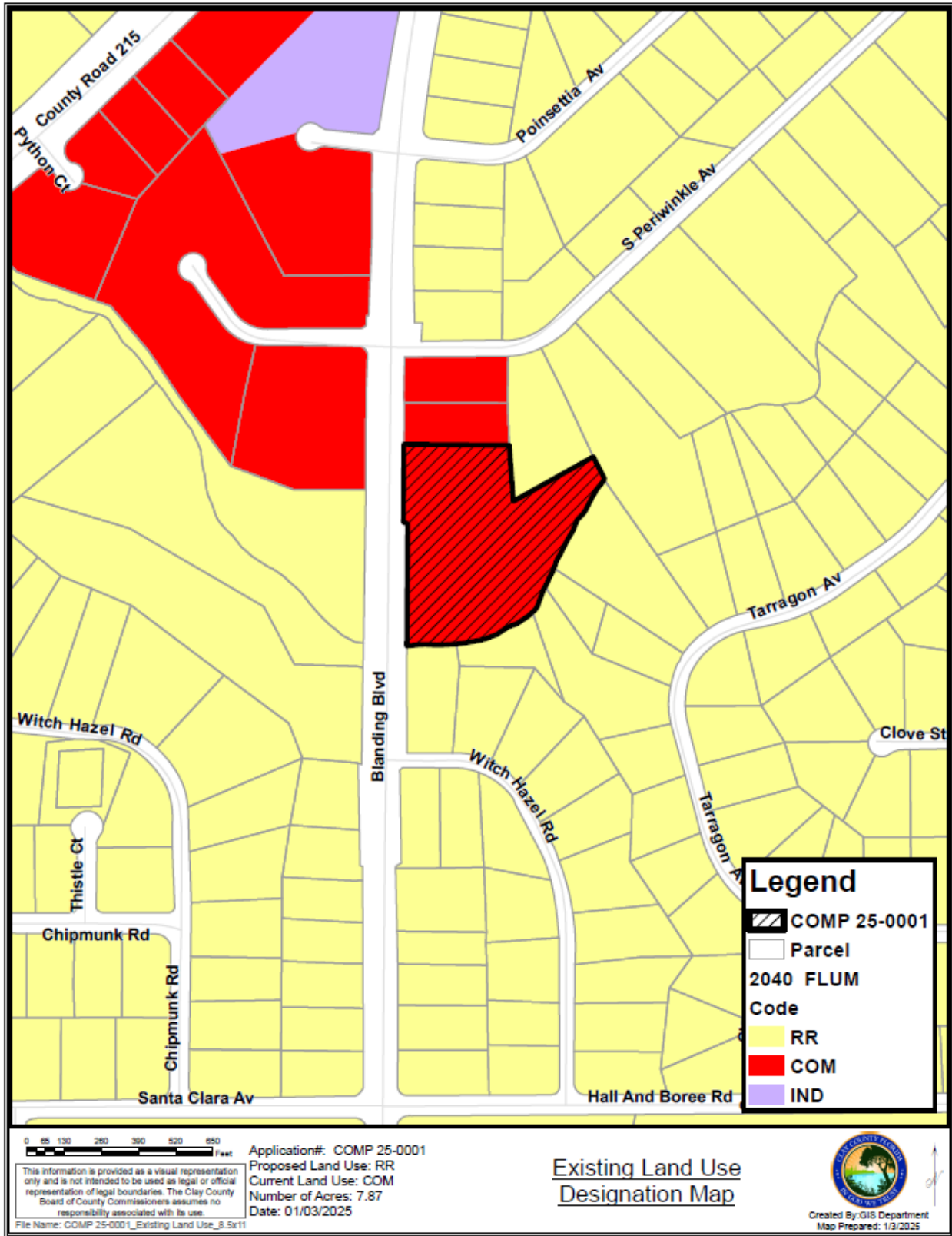


Figure 5 – Proposed Future Land Use Designation Map

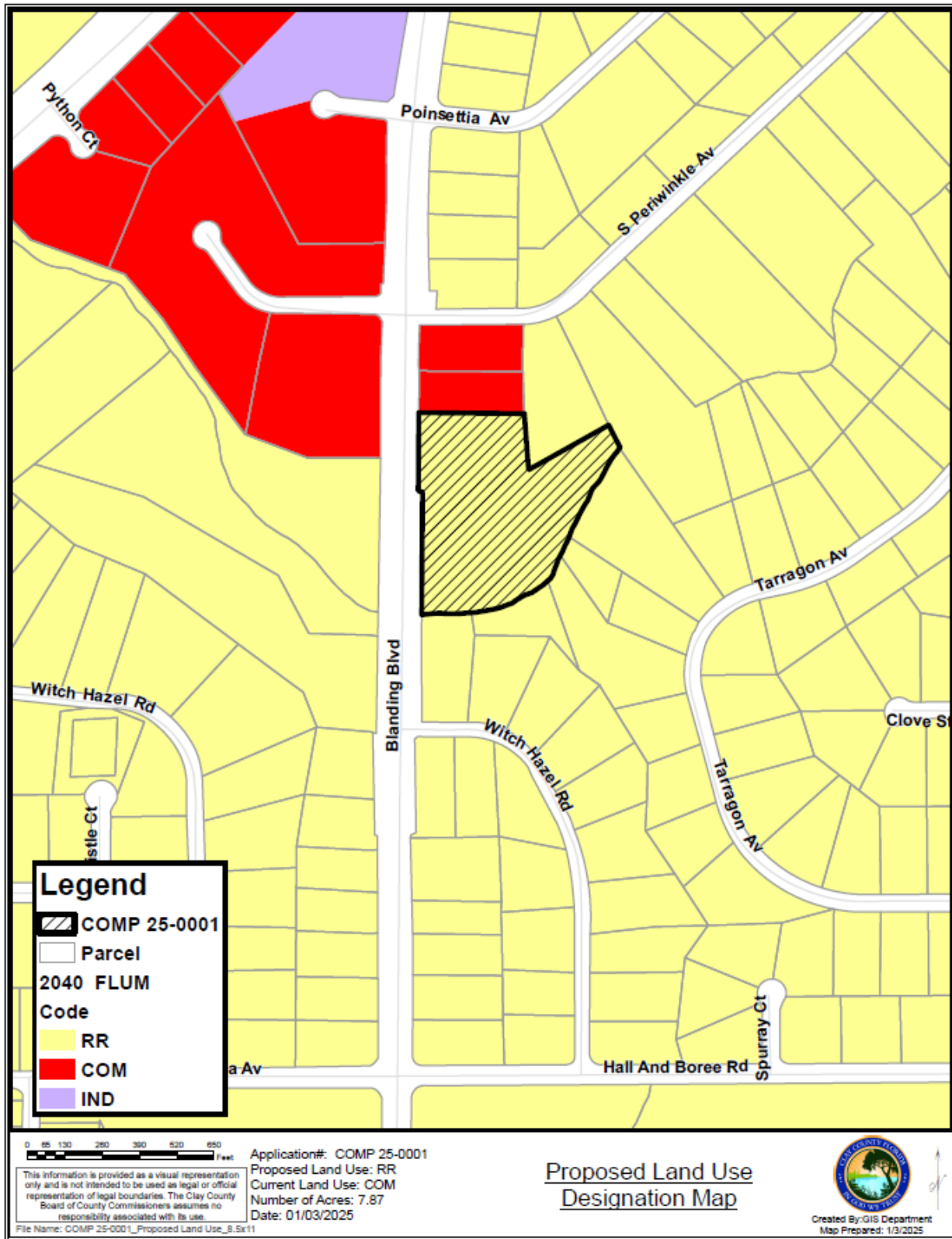
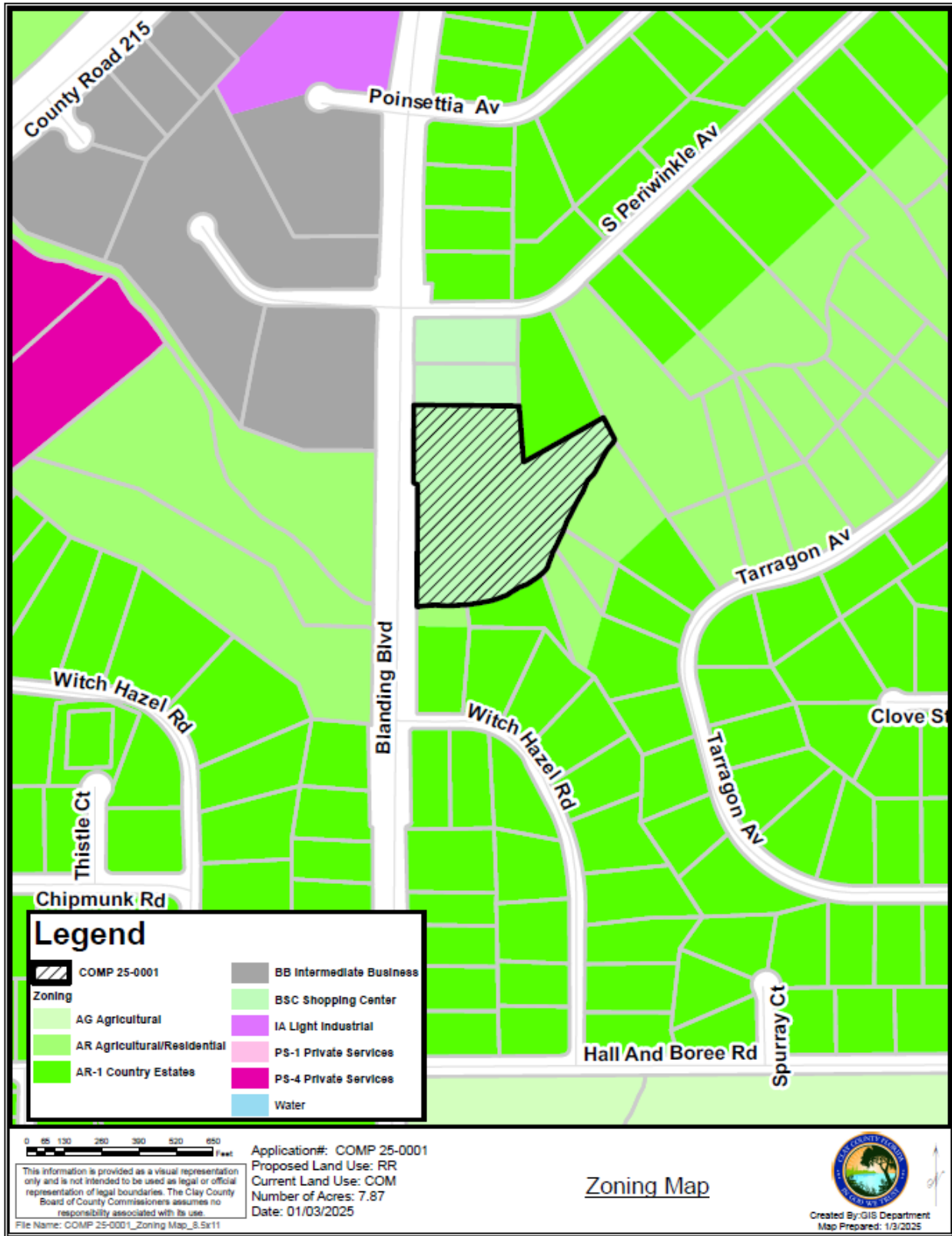


Figure 6 – Zoning Map



33 **Availability of Services**

34 **Traffic Facilities:**

35 The traffic impacts will be those associated with a single-family home. The County's Mobility Fee will apply
36 to development of this property.

37 **Schools:**

38 There should be adequate student station capacity for the new single-family home.
39

40 **Recreation:**

41 There should be adequate recreational facilities in the area to accommodate one single-family home.
42

43 **Water and Wastewater:**

44 The Applicant will need to connect to Water and sewer if available in the area, otherwise they will need to get
45 with the Health Department to secure a septic system.
46

47 **Stormwater/Drainage:**

48 There is a 30' drainage easement on the northeastern corner of the site. Stormwater management for any new
49 construction will need to meet County and Water Management District standards.

50 **Solid Waste:**

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

52 **Land Suitability:**

53 **Soils:**

54 See Figure 7.

55 **Flood Plain:**

56 Development impacts within any floodplain area on the subject parcel will be required to be mitigated. See
57 Figure 8. There is a Floodway running across the southern 1/3 of the property that need to remain untouched.

58 **Topography:**

59 The subject parcel has roughly ten to fifteen feet of slope from a high along the northern side of the subject
60 parcel to a low along the southeast along the Floodway. See Figure 9.

61 **Regionally Significant Habitat:**

62 There does not appear to be any significant habitat within the boundaries of the parcel. There have been some
63 bear sightings to the southeast of the parcel as shown in Figure 10.

64 **Historic Resources:**

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

66 **Compatibility with Military Installations:**

67 The subject property is roughly 2.5 miles from Camp Blanding, this distance should not impact the
68 installation.

69

Figure 7 – Soil Map

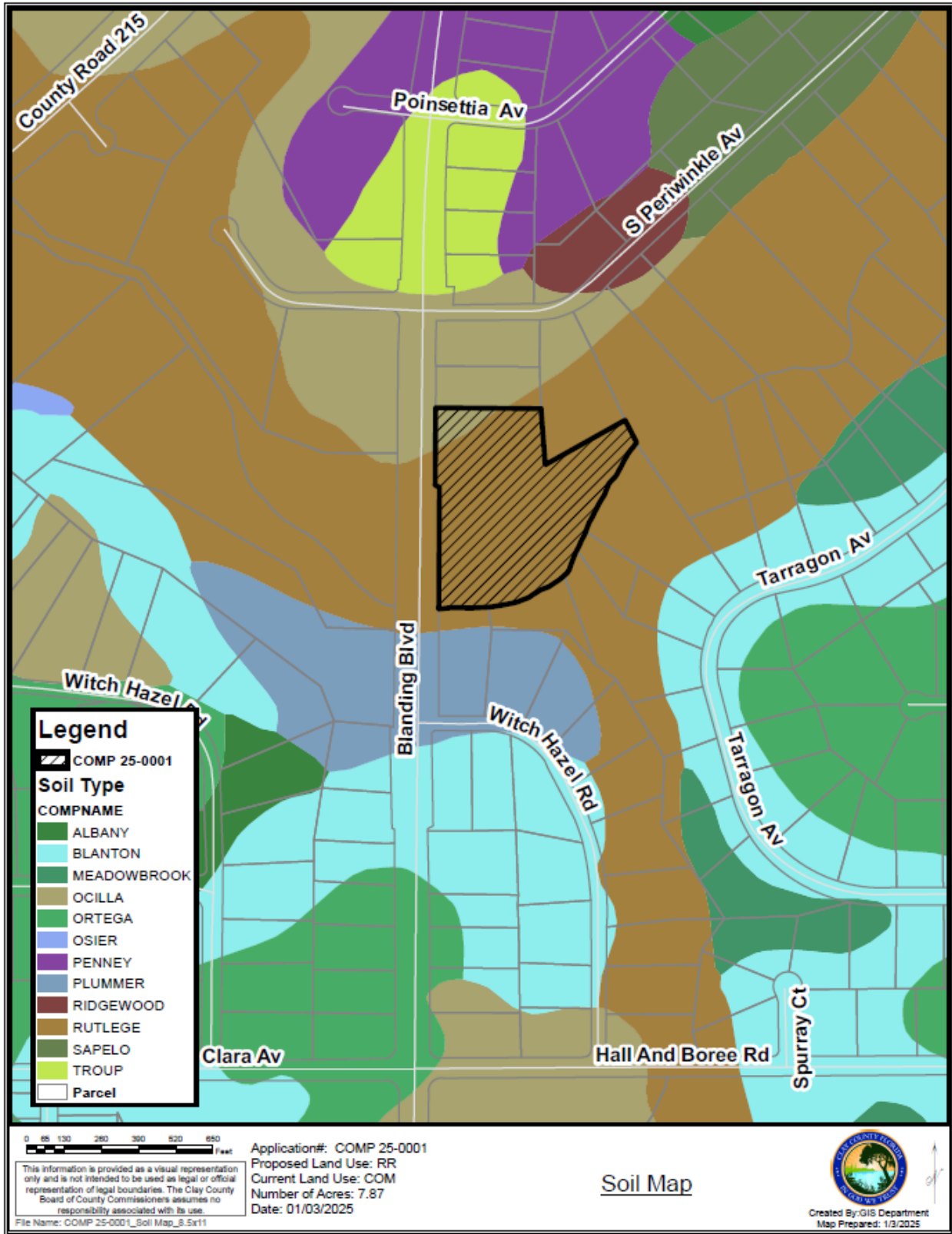


Figure 8 – Flood Zone Map

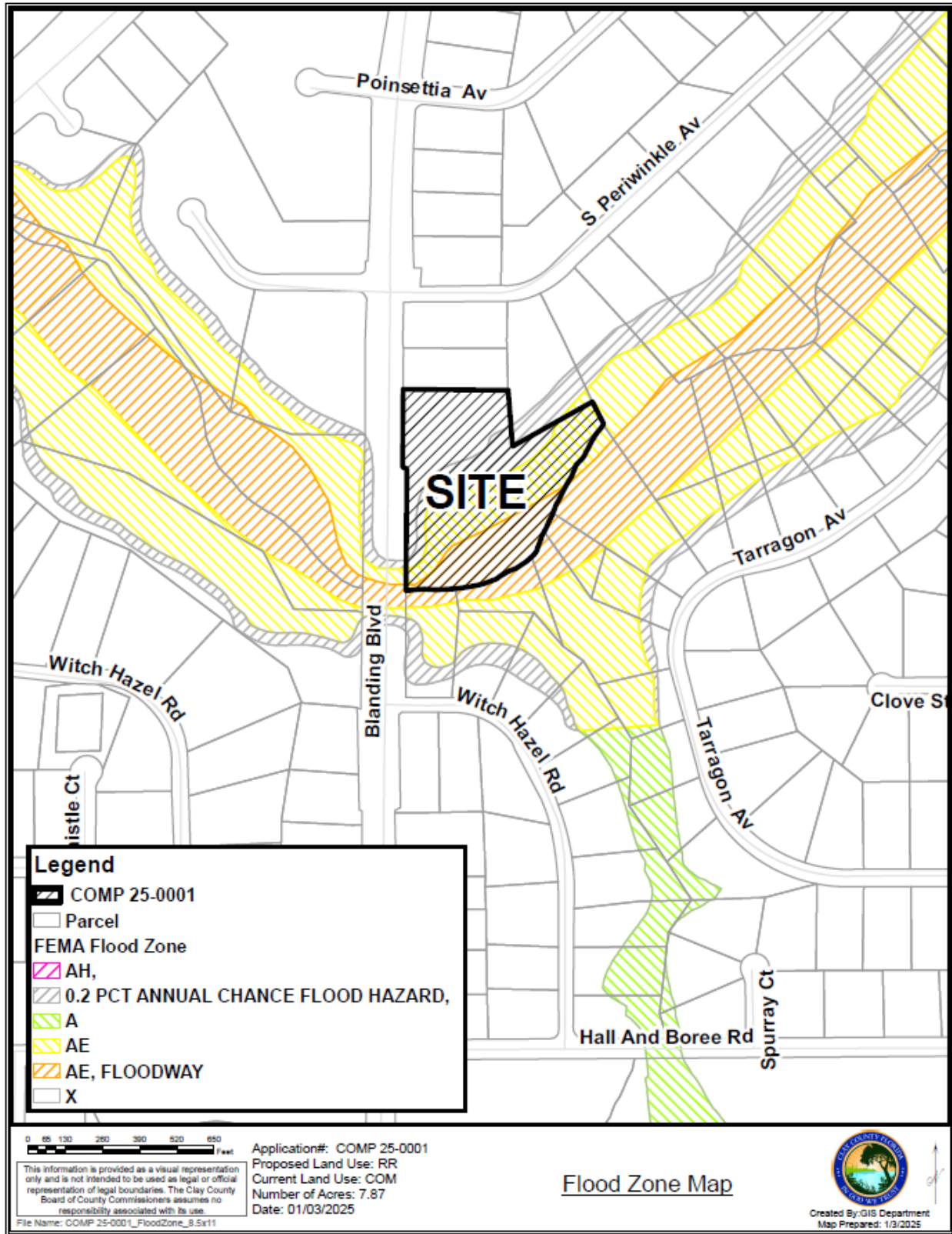


Figure 9 – Topography Map

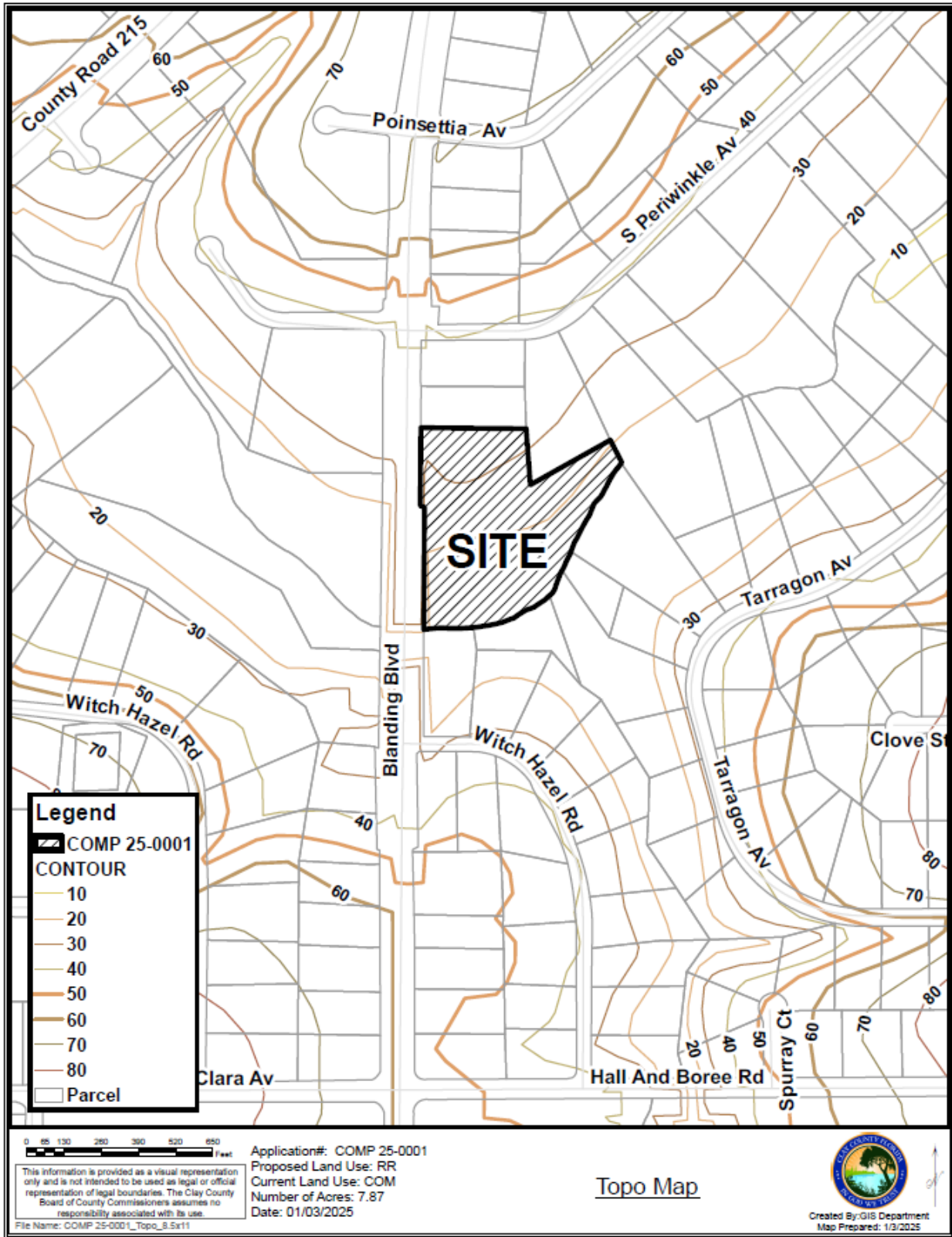


Figure 10 – Habitat Value Map

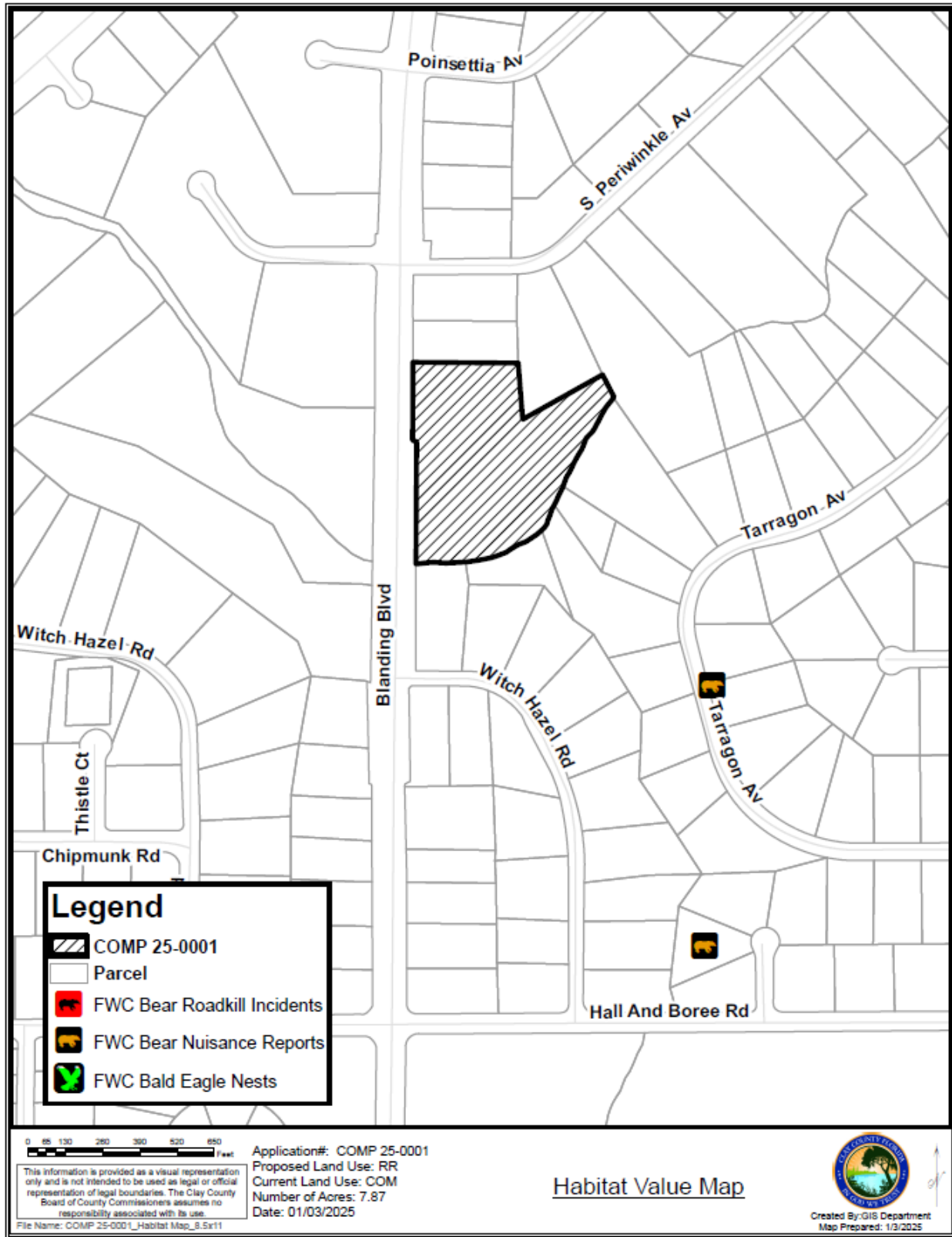
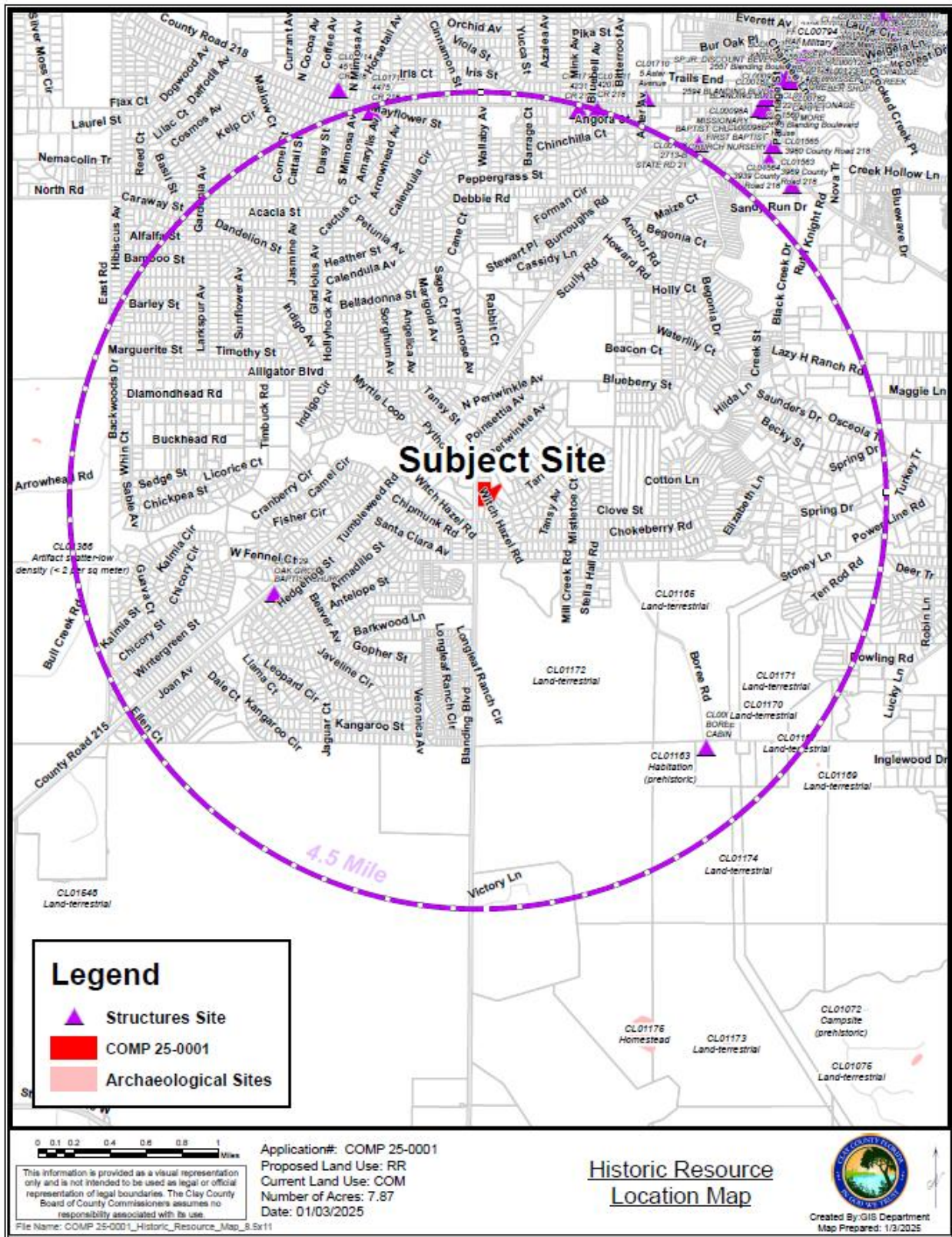


Figure 11 - Historical Resources



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

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

82 FLU Policy 1.4.1 Rural Residential (RR)

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

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

93 FLU Policy 1.4.1.9 Commercial (COM)

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

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

101 Although the property is in close proximity to existing commercial lands, the predominant
102 pattern of the area is rural development; once periwinkle Ave is crossed the road becomes very
103 residential in nature.

104

105 Analysis Regarding Urban Sprawl

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

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

111 Staff Finding: The proposed future land use change would allow the property to be developed with a low-
112 density use.

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

116 Staff Finding: The subject property removes the commercial land use as it could be considered sprawl as
117 the area is predominately rural residential.

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

120 Staff Finding: The proposed amendment is proposing any commercial development and therefore directing
121 development to existing urban areas.

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

125 Staff Finding: Future development of the subject parcel will require that natural systems are negatively
126 impacted by the development.

127 5. *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active*
128 *agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime*
129 *farmlands and soils.*

130 Staff Finding: The requested amendment will maintain the existing development patterns across the area.

131 6. *Fails to maximize use of existing public facilities and services.*

132 Staff Finding: The project will take advantage of public facilities when they become available.

133 7. *Fails to maximize use of future public facilities and services.*

134 Staff Finding: The proposed change of the subject property’s Future Land Use designation will allow the
135 Applicant to take advantage of the public investments that are already in place adjacent to
136 the property.

137 8. *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and*
138 *energy of providing and maintaining facilities and services, including roads, potable water, sanitary*
139 *sewer, stormwater management, law enforcement, education, health care, fire and emergency*
140 *response, and general government.*

141 Staff Finding: The proposed development is a continuation of the development pattern evidenced across
142 the area.

143 9. *Fails to provide a clear separation between rural and urban uses.*

144 Staff Finding: The property will not be introducing new uses into the area, so therefore no separation is
145 necessary.

146 10. *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and*
147 *communities.*

148 Staff Finding: The proposed amendment will create an edge of residential development along Blanding
149 Boulevard, which will then transition to Commercial Land Uses to the west.

150 11. *Fails to encourage a functional mix of uses.*

151 Staff Finding: The proposed FLU will allow for the continuation of the rural nature of the area.

152 12. *Results in poor accessibility among linked or related land uses.*

153 Staff Finding: The proposed change should not affect accessibility among related land uses.

154 13. *Results in the loss of significant amounts of functional open space.*

155 Staff Finding: The proposed amendment should not result in the loss of significant amounts of functional
156 open space.

157

158 Analysis of Surrounding Uses

159 The proposed future land use amendment would change the total parcel acreage of a single parcel of land
160 (7.87 acres) from COM (Commercial) to RR (Rural Residential). This change would be in keeping with the
161 character of the surrounding area as shown in the table below:

	Future Land Use	Zoning District
North	Commercial (petition anticipated)	BSC (Shopping Center District)
South	Rural Residential	AR (Agricultural / Residential)
East	Rural Residential	AR (Agricultural / Residential)
West	Rural Residential (across Blanding Blvd.)	AR (Agricultural / Residential) Across Blanding Blvd.

162

163

164 **Recommendation**

165 Based on the findings outlined in the Report, Staff recommends approval of COMP 25-0001.



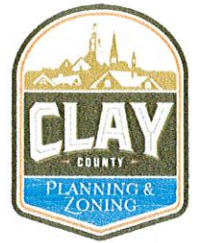
Department of Economic and Development Services

Planning & Zoning Division

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

Phone: (904) 284-6300

www.claycountygov.com



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

Amendment to the Comprehensive Plan Application

Owner's Name: <u>Natividad Santos</u>		If the property is under more than one ownership please use multiple sheets.
Owner's Address: <u>2746 Poinsettia Ave</u>		
City: <u>Middleburg</u>	State: <u>FL</u>	Zip Code: <u>32068</u>
Phone: <u>904-349-9681</u>	Email: <u>NCRS0725@gmail.com</u>	

Parcel Information

Parcel Identification Number Including Section, Township and Range: <u>35-08-24-006699-944-00</u>		
Address: <u>SR 21</u>		
City: <u>Middleburg</u>	State: <u>FL</u>	Zip Code: <u>32068</u>
Current Land Use: <u>Vacant Commercial</u>	Proposed Land Use: <u>Act Forever Home</u>	
Total Acreage: <u>7.87</u>	Adjacent Land Use North: <u>RR</u>	
Adjacent Land Use South:	Adjacent Land Use East:	
Adjacent Land Use West:		

Required Attachments

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

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

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

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

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

Notices

The required SIGN(S) must be POSTED on the property BY THE APPLICANT 15 days in advance of the date of the first required public hearing. The sign(s) may be removed only after final action of the Board of County Commissioners and must be removed within ten (10) days of such action. The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 10 DAYS IN ADVANCE OF THE PUBLIC HEARING. Advertising costs are paid by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Zoning Division, prior to the public hearing.

Hearings are held in the County Commission Chambers on the Fourth Floor of the Clay County Administration Building, 477 Houston Street, Green Cove Springs, Florida. You or your authorized agent **must be present**. If there are members of the public who wish to testify regarding your petition, they are normally allowed three (3) minutes.

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

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

Owner(s) / Authorized Agent Signature

Natividad Santos

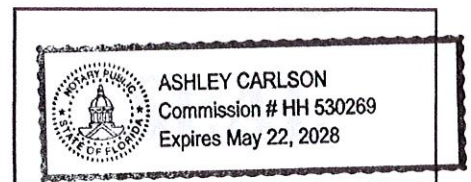
12-5-24

Owner(s) / Authorized Agent Signature

State of Florida
County of Clay

The foregoing affidavit was sworn and subscribed before me this 5th day of December (month), 2024 (year) by Natividad Santos, who is personally known to me or has produced FL CDLS532-620-66-265-0 as identification.

Ashley Carlson
Notary Signature



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

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 32043

To Whom it May Concern:

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

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

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

Natividad Santos

12-5-24

Signature of Owner:

Date:

NATIVIDAD SANTOS

Printed Name of Owner:

Sworn to and subscribed before me this 5th day of Dec A.D. 2024

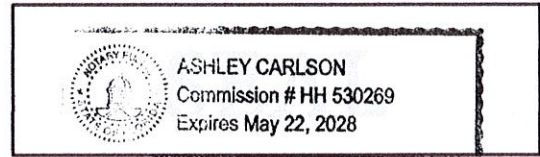
Personally known _____ or produced identification.

Type of identification produced FL CDL and number (#): 8532-620-600-265-0

Ashley Carlson *12-5-24*

Signature of Notary

Date:



Legal Description - Attachment A-3

Parcel 3:

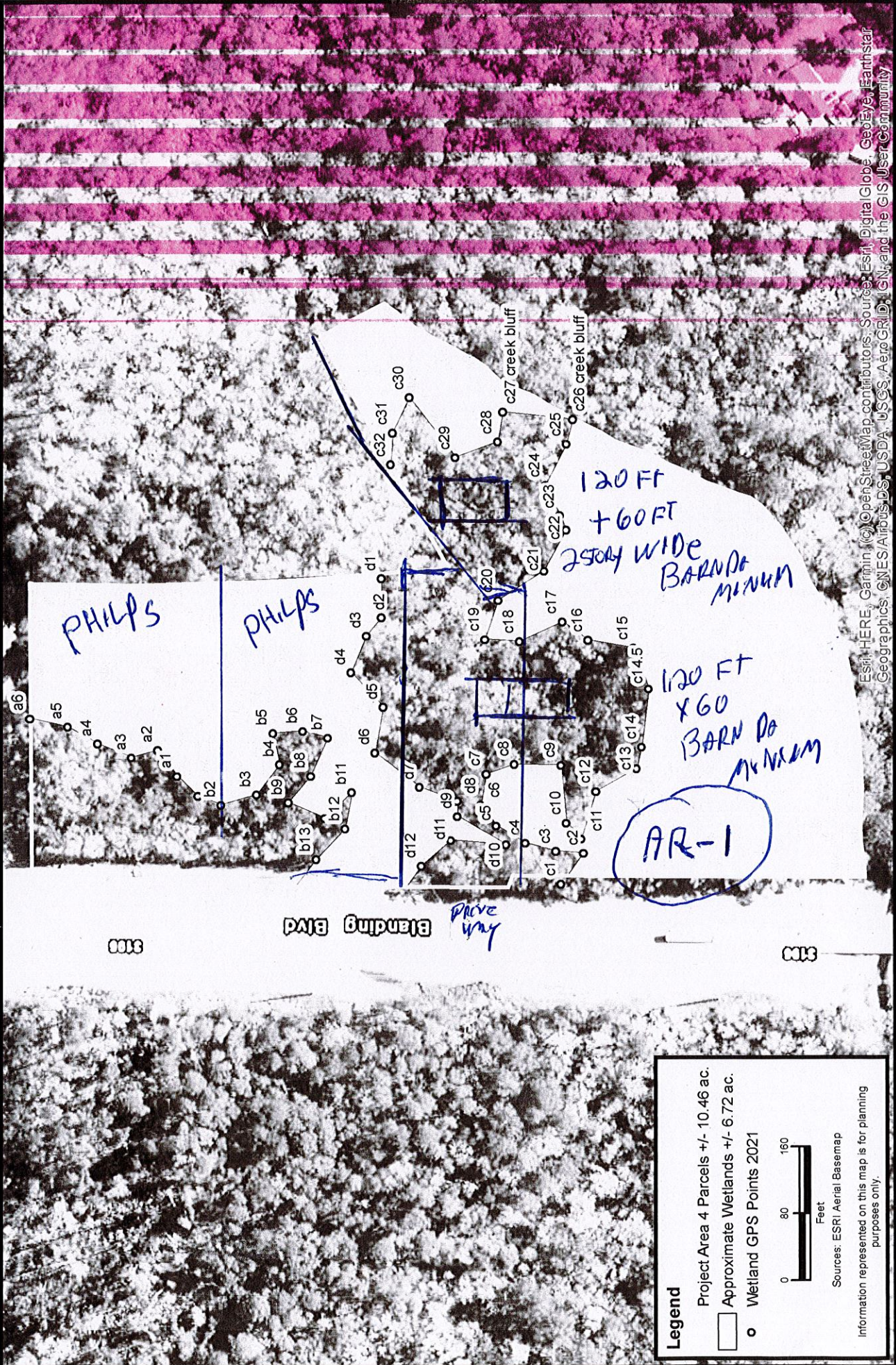
Lot 3, Block 207, in Black Creek Park, Unit Two, a subdivision, as recorded in Plat Book 11, Pages 34, of the Public Records of Clay County, Florida.

Parcel 4:

A portion of Tract D in Black Creek Park, Unit Two, a subdivision, as recorded in Plat Book 11, Pages 34 through 49, inclusive, of the Public Records of Clay County, Florida, said portion of Tract D being more particularly described as follows:

Begin at the Southwest corner of Lot 3 of said Block 207 and run South $89^{\circ}38'15''$ East, along the South line of said Lot 3, a distance of 370.00 feet to an iron pipe at the Southwesterly corner of Lot 4 of said Block 207; thence run North $62^{\circ}49'16''$ East, along the South line of said Lot 4, a distance of 312.56 feet to an iron pipe; thence run South $26^{\circ}09'43''$ East, 58 feet more or less to the centerline of Bull Creek; thence run Southeasterly, Southerly, and Southwesterly along said creek centerline, 1459 feet more or less to the East right-of-way line of State Road No. 21; thence leave said creek centerline and run North $00^{\circ}21'45''$ East, along said right-of-way line, 552 feet more or less to the Point of Beginning.

LESS any portion of the above description lying within the right-of-way of State Road No. 21.



Esri; HERE; Garmin; (c) OpenStreetMap contributors; Source: Esri, DigitalGlobe, GeoEye, Earthstar
 Geographics, CNES/Airbus/DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Legend

- Project Area 4 Parcels +/- 10.46 ac.
- Approximate Wetlands +/- 6.72 ac.
- Wetland GPS Points 2021

0 80 160
Feet

Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.

CES

42 Masters Drive
 St. Augustine, FL 32084
 904-540-1788
www.carterenv.com

Wetland Delineation Assessment Map
2881 Periwinkle Ave. S

Project: 5.21254

Date: Jun 02 2021

Figure: 1

THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:
W. ROBINSON FRAZIER
1515 Riverside Avenue, Suite A
Jacksonville, Florida 32204
(904) 353-5616

WARRANTY DEED

THIS WARRANTY DEED made the 17th day of October, A.D. 2022 by BAKER AND BROWN REALTY CAPITAL, LLC, a Florida limited liability company ("Grantor"), whose address is P.O. Box 1186, Green Cove Springs, Florida 32043, to Natividad Santos, whose post office address is 2864 Blanding Boulevard, Middleburg, Florida 32068, hereinafter called the grantee.

(Wherever used herein the terms "grantor" and "grantee" include all the parties in this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Clay County, Florida, the property appraiser's identification numbers of which are 35-05-24-006699-942-00, 35-05-24-006699-943-00, 35-05-24-006699-944-00, and 35-05-24-006700-170-00, viz:

Those certain parcels of real property described in Exhibit "A", attached hereto and by this reference incorporated herein.

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

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, covenants and restrictions of record and ad valorem taxes accruing subsequent to December 31, 2021.

35-05-24-006700-170-00

6.19 Acreage

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

Signed, sealed and delivered in the presence of:

BAKER & BROWN REALTY CAPITAL, LLC, a Florida limited liability company

[Signature]
D. Kent Sausaman

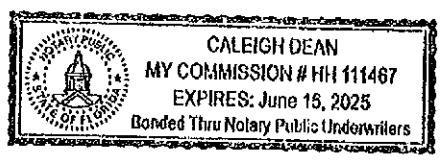
By: [Signature]
Trina R. Baker, Manager

[Signature]
Caleigh Dean

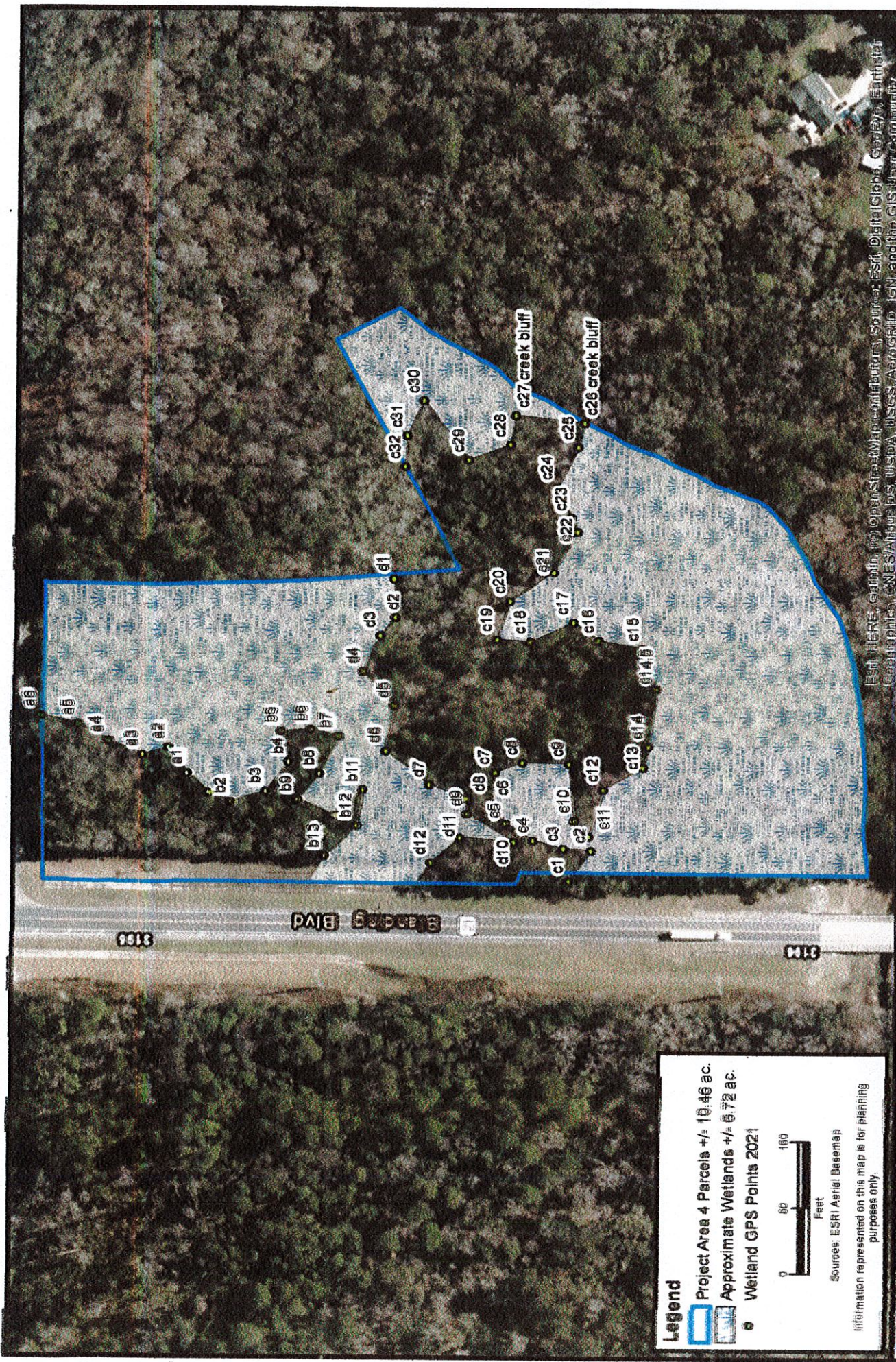
Witnesses

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of X physical presence or online notarization, this 17th day of October, 2022, by TRINA R. BAKER, as Manager of BAKER & BROWN REALTY CAPITAL, LLC, a Florida limited liability company, on behalf of the limited liability company, who is personally known to me.



[Signature]
Caleigh Dean
Notary Public, State of Florida
(SEAL)



ESRI, HERE, Garmin, (P) GeoEye, IGN, AerGRID, IGN, and the GIS User Community
Copyright © 2011, Esri, All Rights Reserved. Source: ESRI, DigitalGlobe, GeoEye, Earthstar
Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Legend

- Project Area 4 Parcels +/- 10.46 ac.
- Approximate Wetlands +/- 6.72 ac.
- Wetland GPS Points 2021

Feet

Sources: ESRI Aerial Basemap
Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.

CES

42 Masters Drive
OK, Augustine, FL 32084
804-040-1700
www.carterenv.com

Wetland Delineation Assessment Map
2881 Periwinkle Ave. S

Project: 5.21254

Date: Jun 02 2021

Figure: 1

Clay County Rezoning Property Ownership Affidavit – Attachment A-2

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 32043

To Whom it May Concern:

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

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

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

[Handwritten Signature]

11/08/24

Signature of Owner:

Date:

Mitvion SMOS

Printed Name of Owner:

Sworn to and subscribed before me this 08th day of Nov A.D. 20 24

Personally known _____ or produced identification. ✓

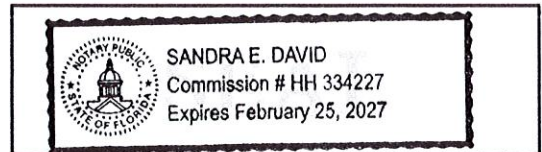
Type of identification produced FL DL and number (#): S532620662650

[Handwritten Signature]

11/8/24

Signature of Notary

Date:



AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2040 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2018-31, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF A SINGLE PARCEL OF LAND (TAX PARCEL IDENTIFICATION # 35-05-24-006699-944-00), TOTALING APPROXIMATELY 7.87 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 25-0001 requests an amendment to the Plan; and,

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

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

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

Section 2. The adopted Future Land Use Map of the Plan is hereby amended such that the Future Land Use designation for a single parcel of land (tax parcel identification # 35-05-24-006699-944-00), totaling approximately 7.87 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 March 2025.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Betsy Condon, Its Chairman

ATTEST:

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

Exhibit "A-1"

EXHIBIT "A"

Parcel 1:

Lot 1, Block 207, in Black Creek Park, Unit Two, a subdivision, as recorded in Plat Book 11, Pages 34, of the Public Records of Clay County, Florida.

Parcel 2:

Lot 2, Block 207, in Black Creek Park, Unit Two, a subdivision, as recorded in Plat Book 11, Pages 34, of the Public Records of Clay County, Florida.

Parcel 3:

Lot 3, Block 207, in Black Creek Park, Unit Two, a subdivision, as recorded in Plat Book 11, Pages 34, of the Public Records of Clay County, Florida.

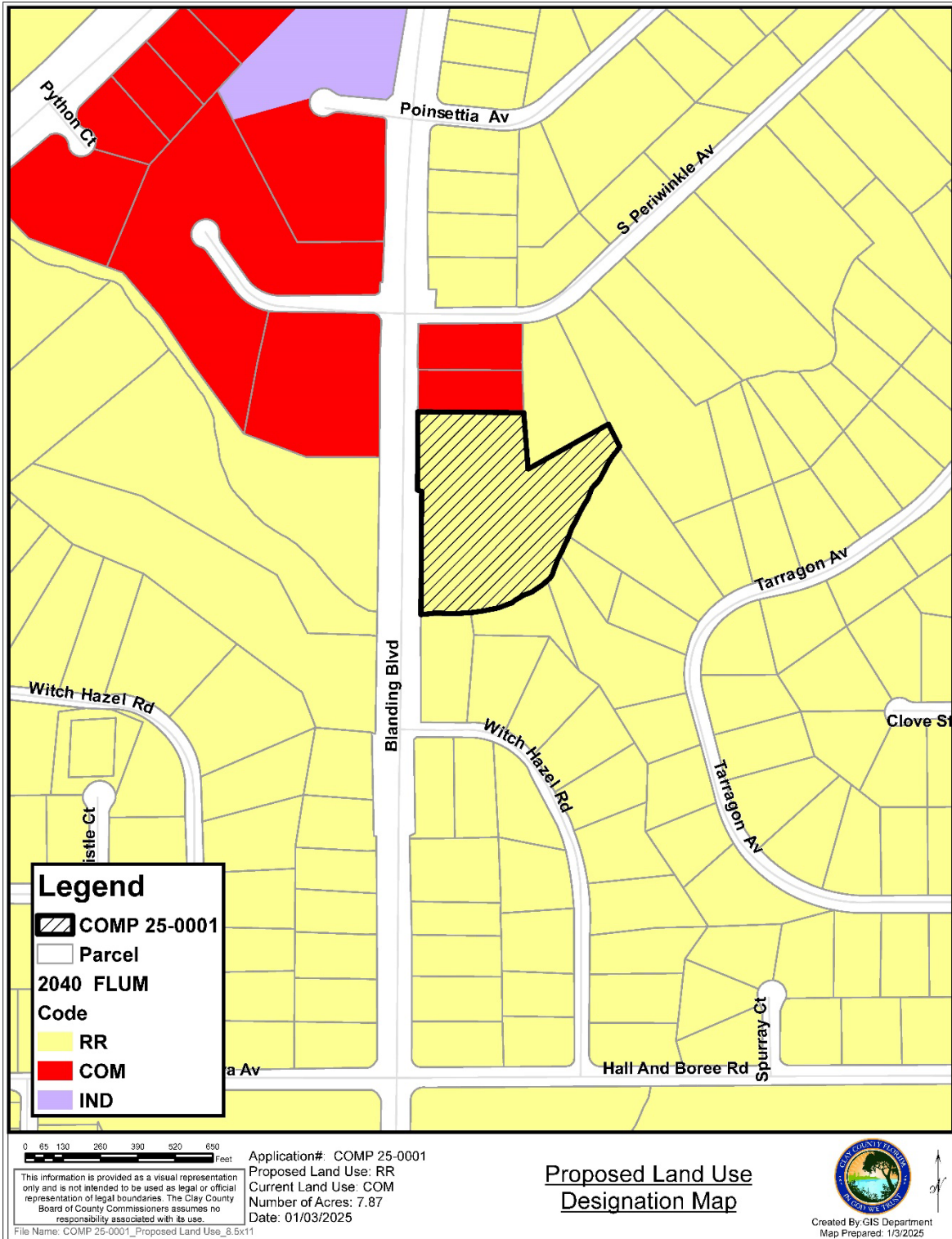
Parcel 4:

A portion of Tract D in Black Creek Park, Unit Two, a subdivision, as recorded in Plat Book 11, Pages 34 through 49, inclusive, of the Public Records of Clay County, Florida, said portion of Tract D being more particularly described as follows:

Begin at the Southwest corner of Lot 3 of said Block 207 and run South $89^{\circ}38'15''$ East, along the South line of said Lot 3, a distance of 370.00 feet to an iron pipe at the Southwesterly corner of Lot 4 of said Block 207; thence run North $62^{\circ}49'16''$ East, along the South line of said Lot 4, a distance of 312.56 feet to an iron pipe; thence run South $26^{\circ}09'43''$ East, 58 feet more or less to the centerline of Bull Creek; thence run Southeasterly, Southerly, and Southwesterly along said creek centerline, 1459 feet more or less to the East right-of-way line of State Road No. 21; thence leave said creek centerline and run North $00^{\circ}21'45''$ East, along said right-of-way line, 552 feet more or less to the Point of Beginning.

LESS any portion of the above description lying within the right-of-way of State Road No. 21.

Exhibit "A-2"





1 **Rezoning Application ZON 24-0036**
 2 **Staff Report**

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

6
 7 **Owner Information**

Parcel #: 35-05-24-006699-944-00	Address: 2864 Blanding Blvd
Owner: Natividad Santos	Middleburg, FL 32068

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

10 **Current Zoning:** BSC (Shopping Center District) **Land Use:** COM (Commercial)
 11 **Zoning Proposed:** AR (Agricultural/Residential) **Total Acres:** 7.87+/-
 12 **Commission District:** 4 (Commissioner Condon) **Planning District:** Green Cove Springs

13
 14
 15 **Background**

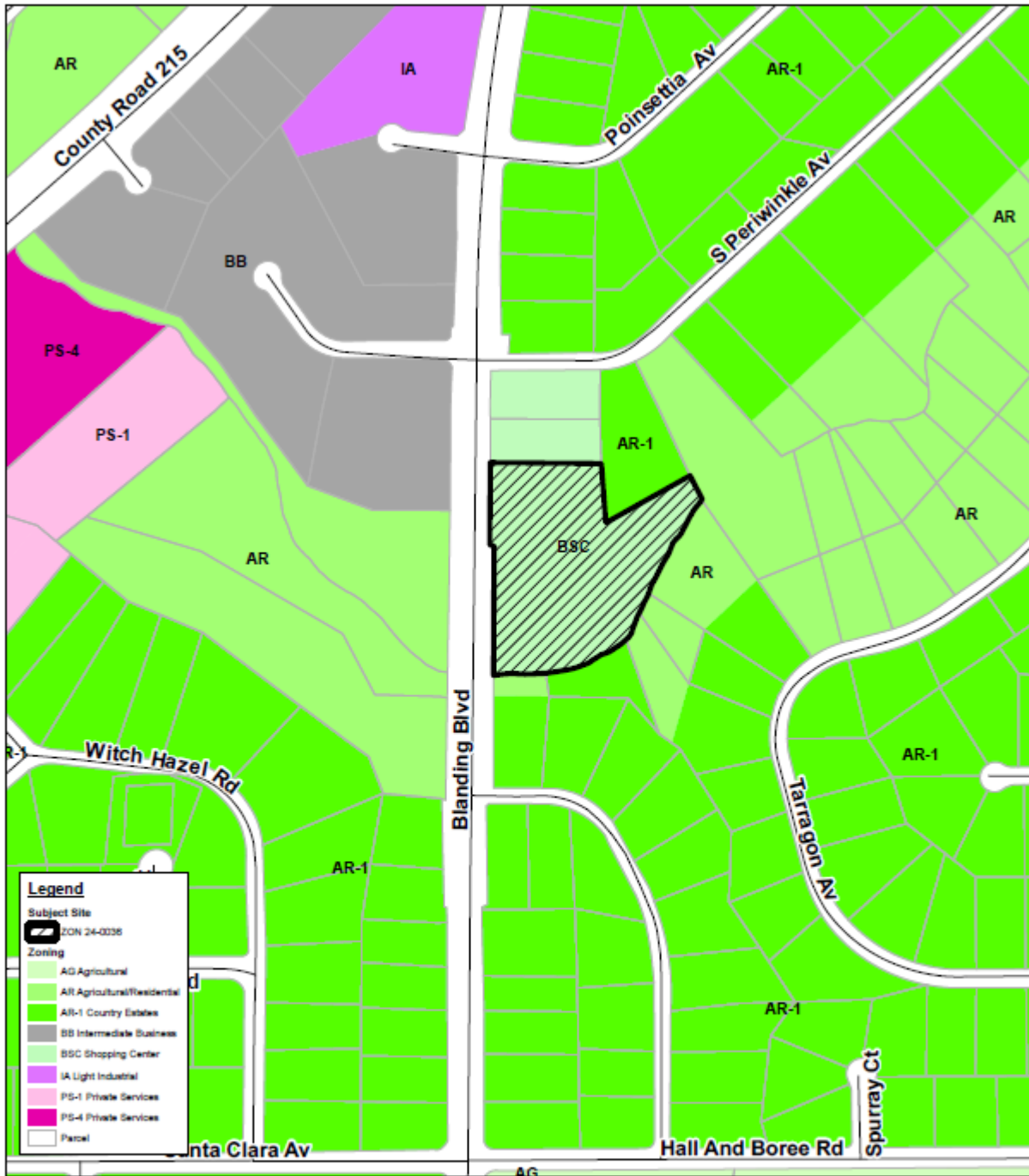
16 This is an Applicant requested zoning change for the subject parcel from Shopping Center District
 17 (BSC) to Agricultural/Residential District (AR). A request for a Land Use change is also being
 18 processed concurrently for the subject parcel. The parcel measures approximately ± 7.87 acres and
 19 lies on the east side of Blanding Blvd., south of S. Periwinkle Ave. The parcel was acquired by
 20 the Applicants in 2022 and is currently vacant.

21
 22 Previously, in January of 1987, the parcel, which included the tracts to the north up to S.
 23 Periwinkle, totaling 10.92 acres, were rezoned from Country Estates District (RC-1) to Shopping
 24 Center District (BSC). This was probably with the intention that the property would become a
 25 commercial node, however this never came to fruition. The Applicant would now like to build
 26 one single family home on the 7+ acres, consistent with the lands to the east and south of the
 27 property. Essentially returning the land to its previous designation.

28
 29 The parcels to the north that were part of the 10-acre parcel have also met with County Staff to
 30 discuss the possibility of returning the parcels to Agricultural/Residential. The zoning and future
 31 land use of the parcels surrounding the subject parcel is provided in the table below and are
 32 primarily residential to the east and commercial to the west, across Blanding. Existing uses in the
 33 area are primarily residential and agricultural.

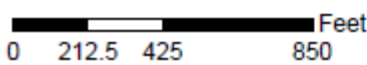
	ZONING	FUTURE LAND USE
North	BSC (Shopping Center District)	Com (Commercial)
East	AR(Agricultural/Residential)	RR (Rural Residential)
West(across Blanding Blvd.)	BB (Intermediate Business District) AR (Agricultural Residential)	COM (Commercial) RR (Rural Residential)
South	AR-1 (Country Estates District)	RR (Rural Residential)

36 Surrounding Zonings



Legend

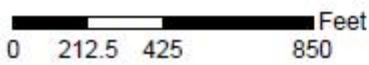
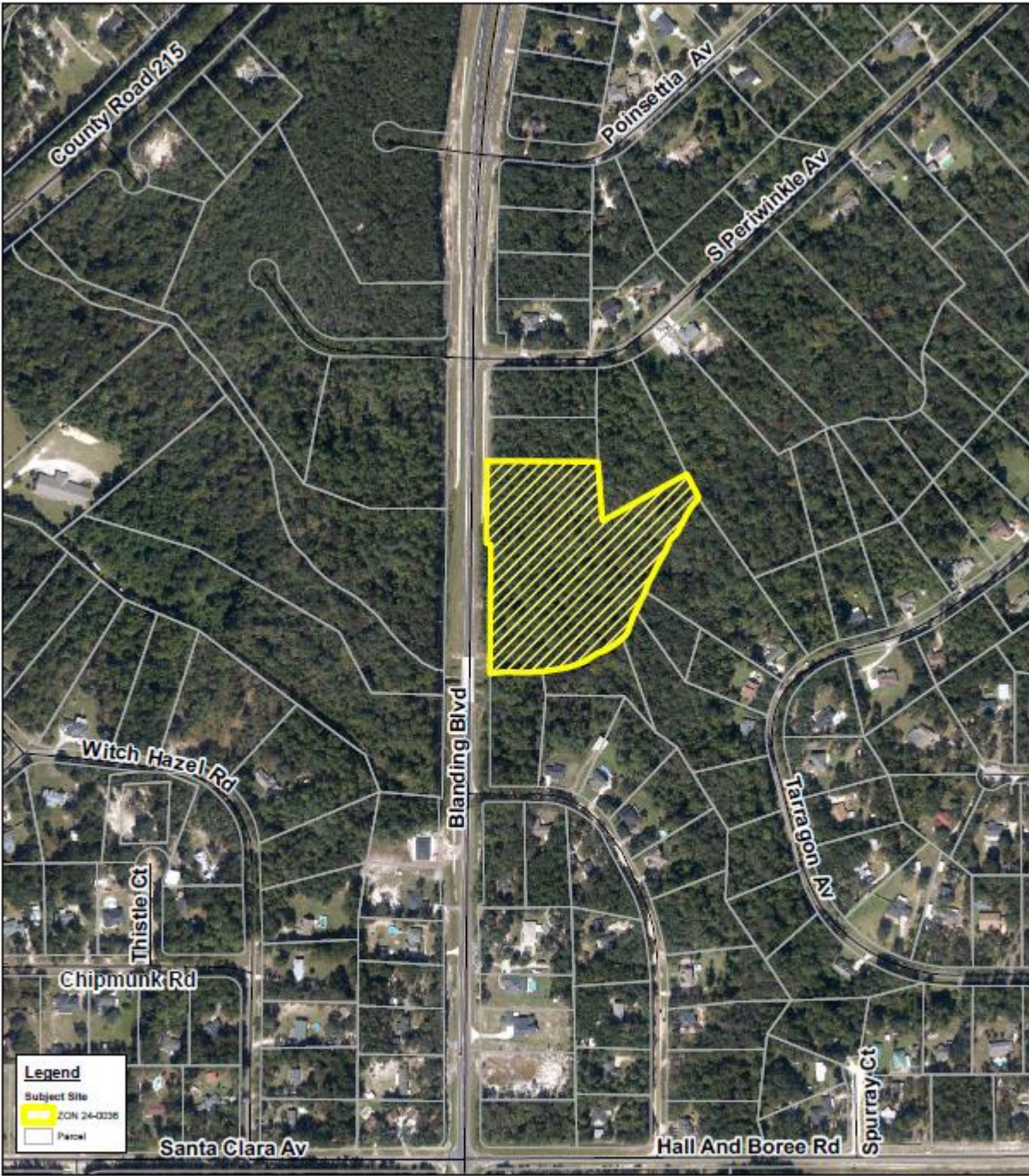
- Subject Site
- ZON 24-0036
- Zoning
- AG Agricultural
- AR Agricultural/Residential
- AR-1 Country Estates
- BB Intermediate Business
- BSC Shopping Center
- IA Light Industrial
- PS-1 Private Services
- PS-4 Private Services
- Parcel



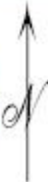
Existing Zoning
Proposed Rezoning: ZON 24-0036
From BSC to AR



37
38

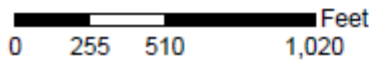
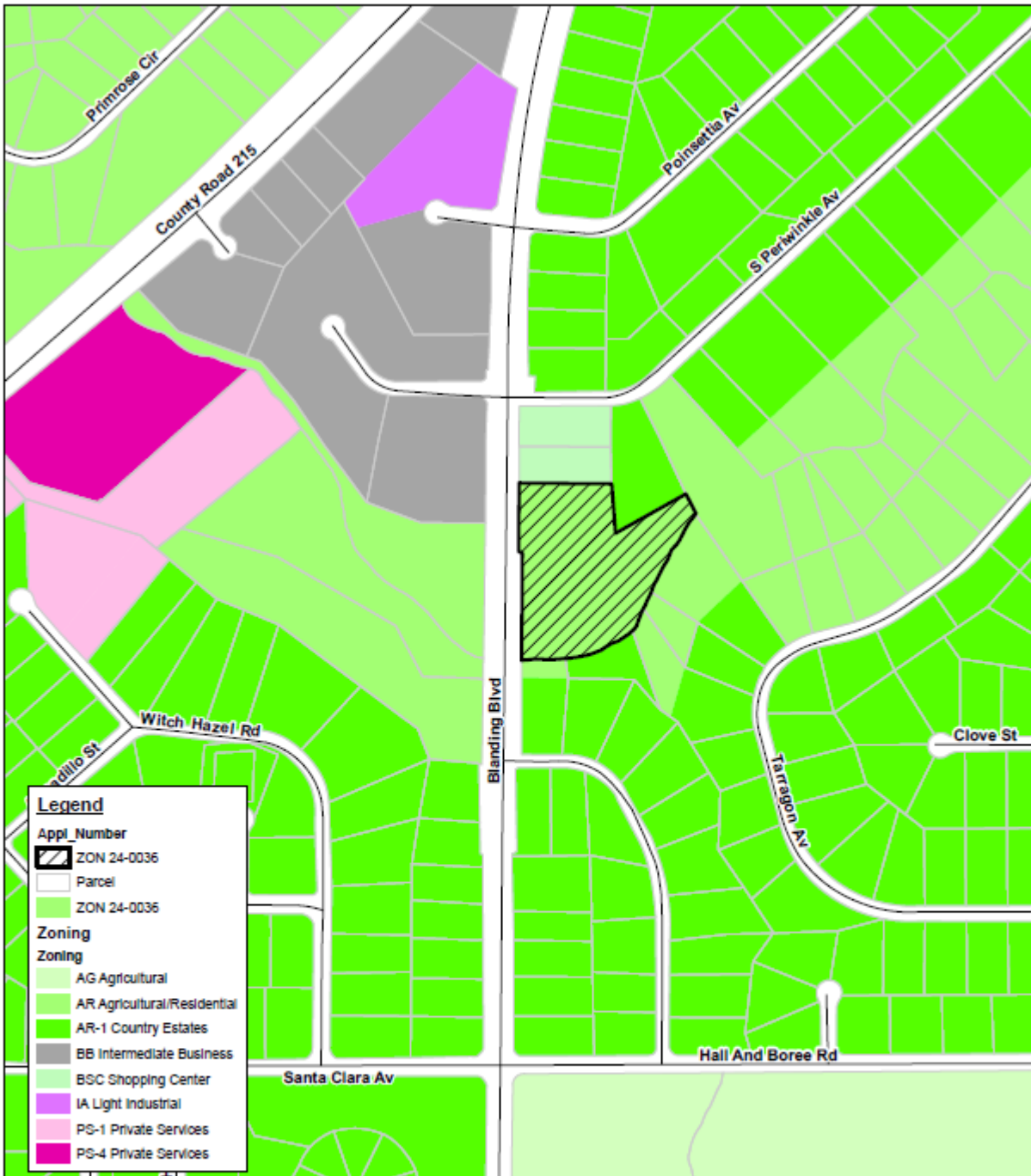


Aerial Map
Proposed Rezoning: ZON 24-0036
From BSC to AR



41 Proposed AR-Zoning District

42



**Proposed Rezoning: ZON 24-0036
From BSC to AR**



43
44

45 **Sec. 3-13. AGRICULTURAL/RESIDENTIAL DISTRICT (Zone AR)**
46

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

53
54 (b) *Uses Permitted.*

55
56 (1) Single-family or mobile home dwelling with their customary accessory uses.
57

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

61
62 (3) For lots of one (1) acre or less in size, permitted uses include the non-commercial
63 keeping and raising of horses, cattle, sheep, swine, goats and other similar farm
64 animals; provided, however, that no more than two (2) horses, cattle, sheep, swine,
65 goats and other large farm animals six (6) months of age or older shall be permitted
66 to be raised, grazed, kept or maintained per one-half (1/2) acre of land. No animal
67 pen, stall, stable, or other similar animal enclosure shall be located nearer than fifty
68 (50) feet to the property. (amended 2/94 - Ord. 94-03)

69
70 (4) Agricultural accessory uses that are customary and incidental to principal
71 agricultural use shall be permitted as follows: (amended 2/95 - Ord. 95-2)

72
73 (i) Accessory buildings directly incidental to the agricultural pursuits listed
74 above.

75
76 (ii) Sheds for the storage and repair of the owner's or tenant's farm equipment
77 only, provided the structure does not exceed three thousand (3,000) square
78 feet of gross floor area.

79
80 (iii) Stand for the sale of products which are raised on the premises.

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

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

88
89 (7) Garage sales will be allowed up to a maximum of two garage sales within any
90 calendar year. The duration of each garage sale shall be a maximum of 72 hours

91 and may be conducted only within daylight hours. No sign advertising a garage
92 sale may be placed on any public right-of-way.

- 93
- 94 (8) Storage of petroleum products.
- 95
- 96 (i) Petroleum used for heating and/or cooking not to exceed 500 gallons.
- 97
- 98 (ii) Gasoline to be used by owner of residence not to exceed 50 gallons.
- 99
- 100 (9) Satellite dish receivers for individual use.
- 101
- 102 (10) The parking of commercial vehicles by the owner of the primary residence with a
103 limit of one (1) per acre and a maximum of two (2) vehicles, may be parked in the
104 rear or side yard, except refrigerated vehicles and vehicles carrying hazardous
105 materials.
- 106
- 107 (11) Private boat pier or slip for the use of occupants of principal residential structures
108 of the lot; provided said pier or slip does not interfere with navigation.
- 109

110 (c) *Conditional Uses.* The following uses are permitted in the AR zoning district subject to
111 the conditions provided in Section 20.3-5.

- 112
- 113 (1) Plant nurseries.
- 114
- 115 (2) Riding academies and riding stables.
- 116
- 117 (3) Home occupations.
- 118
- 119 (4) Bird sanctuaries and rehabilitation centers.
- 120
- 121 (5) Swimming pools.
- 122
- 123 (6) Commercial kennels.
- 124
- 125 (7) Radio, television, microwave relay stations or towers and accessory equipment
126 buildings. (Ord. 95-53 - 11/28/95)
- 127
- 128 (8) Aviculture (Commercial or Hobbyist).
- 129
- 130 (9) Temporary structures or buildings.
- 131
- 132 (10) Mobile homes for medical hardship.
- 133
- 134 (11) Communication Antennas and Communication Towers, including accessory
135 buildings, tower support and peripheral anchors as governed by the provisions of
136 Section 20.3-46 of the Clay County Land Development Code. (Amended 11/26/96)

- 137 - Ord.96- 58).
 138
 139 (12) Public and/or private sewer facilities.
 140
 141 (13) Private drainage ponds or agricultural livestock ponds.
 142
 143 (14) Borrow Pits (amended 2/95 - Ord.95-2)
 144
 145 (15) Land Application of Domestic Septage (amended 10/95 - Ord. 95-41)
 146
 147 (16) Apiculture (Hobbyist) (Amended 2/25/97 - Ord. 97- 11)
 148
 149 (17) Land Clearing Debris Disposal Facility (Amended 6/98 - Ord. 98-27)
 150
 151 (18) BMX Track (Bicycle Motocross; Non-motorized) Ord. 00-50 – 9/26/00
 152
 153 (19) Bed and Breakfast Inns (Amended 4/01 - Ord. 01-12)
 154
 155 (20) Dwelling unit with kitchen addition for parent, grandparent or child (Amended 5/03
 156 – Ord. 03-40)
 157
 158 (21) Recreational Vehicle parking for temporary use (amended 11/07 – Ord.2007-66).
 159
 (22) Temporary Living Quarters during construction of a residence (amended 11/07 –
 Ord.2007-66)
 160
 161 (23) Residential Group Homes of six or fewer individuals. *Rev. 01/12/16*
 162
 163 (24) Accessory Dwelling Units. *Rev. 05/26/09*
 164
 165 (25) Rural Event Centers. *Rev. 02/23/16*
 166
 167 (d) *Uses Not Permitted.*
 168
 169 (1) Any use not allowed in (b) or (c) above.
 170
 171 (2) Any use or activity which would create any obnoxious, corrosive, or offensive
 172 noise, gas, odor, smoke, dust, fumes, vibration or light, and which would be
 173 detrimental to other surrounding properties or to the welfare and health of the
 174 citizens in the area.
 175
 176 (e) *Density Requirements.* The maximum densities and minimum lot areas for residential uses
 177 in the AR district shall be as follows:
 178
 179 (1) Land with a zoning classification of AR and a land use designation of
 180 Agricultural/Residential.

- 181
182 (i) Residential development not classified as a subdivision pursuant to
183 Ordinance 85-68, as amended.
184
185 *Maximum Density* One (1) unit per ten (10) acres
186 *Minimum Lot Size* Ten (10) acres or 435,600 square feet
187
188 (ii) Subdivision pursuant to Ordinance 85-68, as amended.
189
190 *Maximum Density*
191 With Clustering and Points One (1) unit per five (5) acres
192 Without Clustering and Points One (1) unit per ten (10) acres
193
194 *Minimum Lot Size*
195 With Clustering and Points One (1) acre or 43,560 square feet
196 Without Clustering and Points Nine (9) acres or 392,040 sq. feet
197
198 (2) Land with a zoning classification of AR and a land use designation of Rural
199 Residential.
200
201 (i) Residential development not classified as a subdivision pursuant to
202 Ordinance 85-68, as amended.
203
204 *Maximum Density* One (1) unit per five (5) acres
205 *Minimum Lot Size* Five (5) acres or 217,800 square feet
206
207 (ii) Subdivision pursuant to Ordinance 85-68, as amended.
208
209 *Maximum Density*
210 With Clustering and Points One (1) unit per acre
211 Without Clustering and Points One (1) unit per five (5) acres
212
213 *Minimum Lot Size*
214 With Clustering and Points 21,780 square feet
215 Without Clustering and Points Four (4) acres or 174,240 sq. feet
216
217 (3) Land with a zoning classification of AR and a land use designation of Rural Fringe.
218
219 (i) *Maximum Density* .One (1) unit per acre
220 *Minimum Density* 43,560 square feet
221
222 (4) Land within a zoning classification of AR and a land use designation of Urban
223 Fringe. (amended 2/94 - Ord. 94-03)
224
225 (i) *Maximum Density* Two (2) units per acre
226 *Maximum Lot Size* 21,780 square feet

- 227 (5) Land within a zoning classification of AR and a land designation of Urban Core.
 228 (amended 2/94 - Ord. 94-03)
 229
- 230 (i) *Maximum Density* Two (2) units per acre
 231 *Maximum Lot Size* 21,780 square feet
 232
- 233 (6) Land with a zoning classification of AR and a land use designation of Agriculture.
 234 (amended 7/02 – Ord. 02-36)
 235
- 236 (i) Residential development not classified as a subdivision pursuant to
 237 Ordinance 85-65, as amended.
 238
- 239 *Maximum Density* One (1) unit per twenty (20) acres
 240 *Minimum Lot Size* Twenty (20) acres
 241
- 242 (f) *Lot and Building Requirements.* The principal buildings and other lot uses shall be so
 243 located as to comply with the following requirements:
 244
- 245 (1) Minimum Lot Width at Building Line 100 feet
 246
- 247 (2) Minimum Lot Depth 100 feet
 248
- 249 (3) Minimum Front Setback 30 feet
 250
- 251 (4) Minimum Rear Setback 35 feet
 252
- 253 (5) Minimum Side Setback 20 feet*
 254 *For waterfront properties along Doctors
 255 Lake within the Neilhurst Plat, recorded in
 256 Plat Book 2, pages 44 through 46, the minimum
 257 side setback shall be 5 feet.
 258
- 259 (6) Minimum Front Yard Setback for Accessory Buildings, 30 feet
 260 Excluding Fences
 261
- 262 (7) Minimum Rear Yard and Side Setback for Accessory Buildings 7.5 feet
 263
- 264 (8) Minimum Living Area 750 sq. ft.
 265 (amended 2/95 - Ord. 95-2)
 266
- 267 (9) All structures shall be set back a minimum of 50 feet landward from the ordinary
 268 high water line or mean high water line, whichever is applicable; for waters
 269 designated as Aquatic Preserves or Outstanding Florida Waters, the setback will be
 270 100 feet. (amended 5/05 – Ord. 05-18)
 271
- 272 (10) Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high

273 water line or the mean high water line, whichever is applicable. Lot width shall be
274 measured by the chord terminated by the property corners at the ordinary high water
275 line or the mean high water line as applicable. (amended 5/05 – Ord. 05-18)
276

277 **Staff Recommendation**

278
279 This is an Applicant requested rezoning application to change approximately ± 7.87 acres from
280 BSC to AR. Given the presence of existing Agricultural/Residential and Country Estate zoning to
281 the east and south, the zoning change request maintains the pattern of development in the area and
282 appears appropriate.

283
284 This request is consistent with the Goals, Objectives and Policies of the Comprehensive Plan and
285 is compatible with the surrounding zoning and future land use. Staff recommends **approval** of
286 application ZON 24-0036.

THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:
W. ROBINSON FRAZIER
1515 Riverside Avenue, Suite A
Jacksonville, Florida 32204
(904) 353-5616

WARRANTY DEED

THIS WARRANTY DEED made the 17th day of October, A.D. 2022 by BAKER AND BROWN REALTY CAPITAL, LLC, a Florida limited liability company ("Grantor"), whose address is P.O. Box 1186, Green Cove Springs, Florida 32043, to Natividad Santos, whose post office address is 2864 Blanding Boulevard, Middleburg, Florida 32068, hereinafter called the grantee.

(Wherever used herein the terms "grantor" and "grantee" include all the parties in this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Clay County, Florida, the property appraiser's identification numbers of which are 35-05-24-006699-942-00, 35-05-24-006699-943-00, 35-05-24-006699-944-00, and 35-05-24-006700-170-00, viz:

Those certain parcels of real property described in Exhibit "A", attached hereto and by this reference incorporated herein.

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

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, covenants and restrictions of record and ad valorem taxes accruing subsequent to December 31, 2021.

35-05-24-006700-170-00

6.19 Acreage

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY FLORIDA, PURSUANT TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED PURSUANT TO ORDINANCE 93-16, AS AMENDED, PROVIDING FOR THE REZONING OF A SINGLE PARCEL OF LAND (TAX PARCEL IDENTIFICATION # 35-05-24-006699-944-00, TOTALING APPROXIMATELY 7.87 ACRES, FROM ITS PRESENT ZONING CLASSIFICATION OF SHOPPING CENTER (BSC) TO AGRICULTURAL/RESIDENTIAL (AR); PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application ZON 24-0036 seeks to rezone certain real property (tax parcel identification # 35-05-24-006699-944-00 (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 Shopping Center (BSC) to Agricultural/Residential (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 requested in Application COMP 25-0001 becoming effective.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of March, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

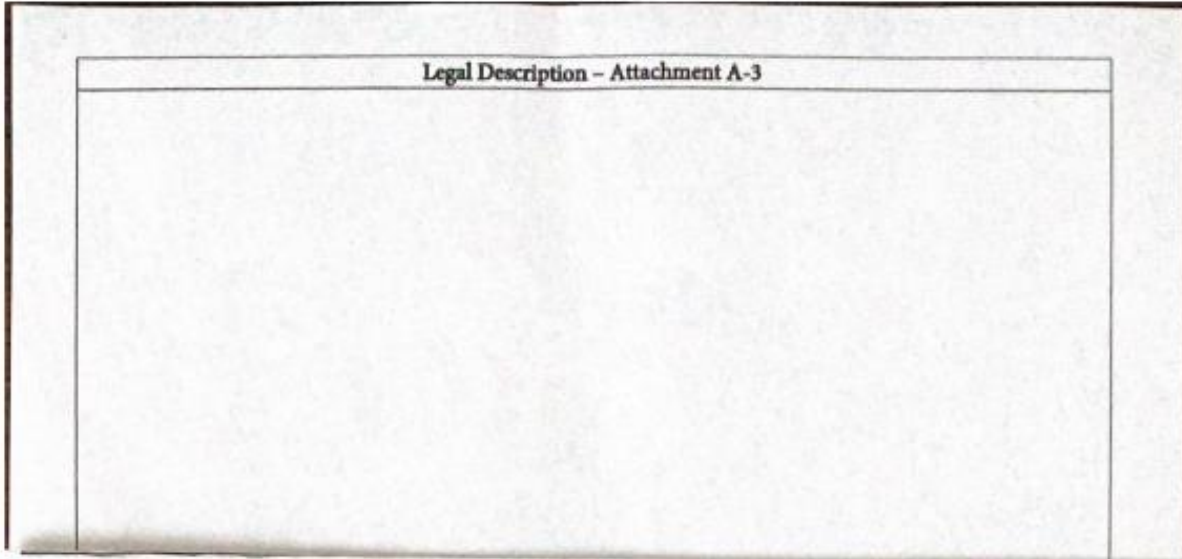
By: _____
Betsy Condon, Its Chairman

ATTEST:

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

Exhibit "A-1"

Clay Parcel No. 35-05-24-006699-944-00



Parcel 3:

Lot 3, Block 207, in Black Creek Park, Unit Two, a subdivision, as recorded in Plat Book 11, Pages 34, of the Public Records of Clay County, Florida.

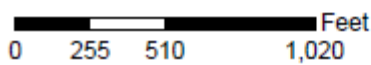
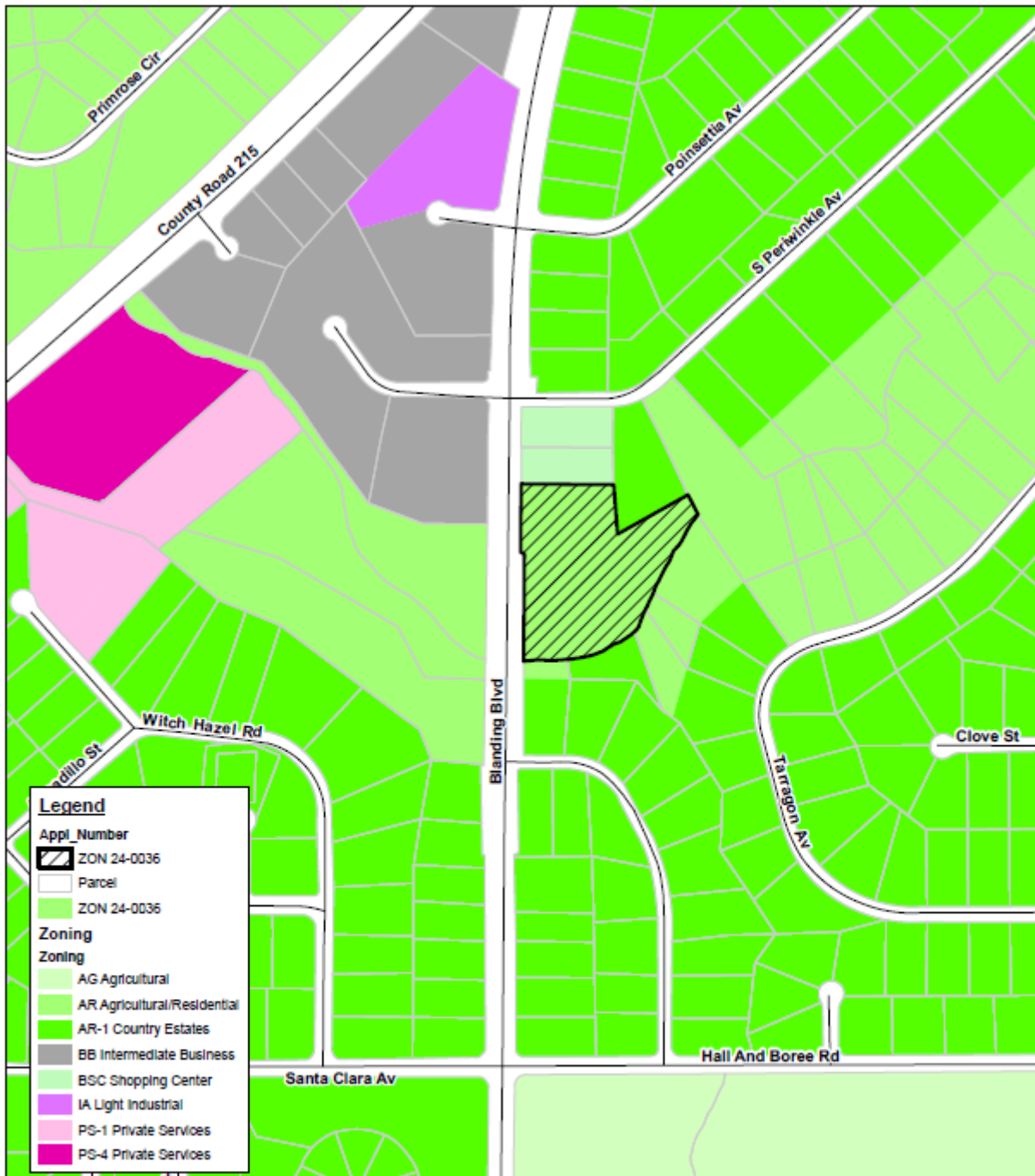
Parcel 4:

A portion of Tract D in Black Creek Park, Unit Two, a subdivision, as recorded in Plat Book 11, Pages 34 through 49, inclusive, of the Public Records of Clay County, Florida, said portion of Tract D being more particularly described as follows:

Begin at the Southwest corner of Lot 3 of said Block 207 and run South 89°38'15" East, along the South line of said Lot 3, a distance of 370.00 feet to an iron pipe at the Southwesterly corner of Lot 4 of said Block 207; thence run North 62° 49'16" East, along the South line of said Lot 4, a distance of 312.56 feet to an iron pipe; thence run South 26° 09'43" East, 58 feet more or less to the centerline of Bull Creek; thence run Southeasterly, Southerly, and Southwesterly along said creek centerline, 1459 feet more or less to the East right-of-way line of State Road No. 21; thence leave said creek centerline and run North 00° 21'45" East, along said right-of-way line, 552 feet more or less to the Point of Beginning.

LESS any portion of the above description lying within the right-of-way of State Road No. 21.

Exhibit "A-2"



**Proposed Rezoning: ZON 24-0036
From BSC to AR**





Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, March 4 5:00 PM

TO: Planning Commission

DATE: 1/14/2025

FROM: Jenni Bryla, Zoning Chief

SUBJECT:

A. COMP 25-0003

This is a privately initiated application for a FLUM Amendment to change 1 acre from Agricultural to Industrial.

B. ZON 25-0002

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

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

The subject parcel is located northeast of the intersection of County Road 209 South & South of Bayard Road. This parcel contains a mobile home. A companion Rezoning application from AG to IB follows this comprehensive plan amendment.

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Applicant

Applicant: John P. Hall

ATTACHMENTS:

Description	Type	Upload Date	File Name
			COMP_25-0003-

▢ Staff Report for COMP 25-0003	Cover Memo	2/27/2025	PC_Staff_Report_- _jbada.pdf
▢ Application	Backup Material	2/27/2025	Comprehensive_Plan_A1_v1- 3_Applicationada.pdf
▢ COMP 25-0003 Ordinance Final	Ordinance	3/4/2025	COMP_25-003_-_ORD_- _FINALada.pdf
▢ Staff Report for ZON 25-0002	Cover Memo	2/27/2025	ZON_25-0002- Staff_Report_PC_jbada.pdf
▢ Application	Backup Material	2/27/2025	RezoningA1_v1ada.pdf
▢ ZON 25-0002 Ordinance Final	Ordinance	3/4/2025	ZON_25-0002-Ordinance- FINALada.pdf



1 **Staff Report and Recommendations for COMP 25-0003**

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: John P Hall III

Address: PO Box 395

Agent: Bert Royal

Green Cove Springs, FL 32043-0395

Phone: 904-294-2784

Email: Vanroyal2@outlook.com

7

8 **Property Information**

Parcel ID: 39-06-26-016503-004-00

Address: Bayard Road

Green Cove Springs, FL 32043

Current Land Use: AG (Agriculture)

Current Zoning: AG (Agricultural District)

Proposed Zoning: IB (Heavy Industrial District)

Acres: 1.00 +/- acres

Acres affected by Zoning change: 1 +/-
acres

Commission District: 5, Comm. Burke

Planning District: The Springs

9

10 **Introduction:**

11 This is a privately initiated application for a Small-Scale Comprehensive Plan Amendment to the
12 2040 Future Land Use Map (FLUM). The application would change a single parcel approximately
13 1.00 acres in size of land from AG (Agricultural) to IND (Industrial).

14

15 The subject parcel is located northeast of the intersection of County Road 209 South & South of
16 Bayard Road. This parcel contains a mobile home. A companion Rezoning application from AG to
17 IB follows this comprehensive plan amendment.

18

19

Figure 1 – Location Map



Figure 2 – Parcel Map

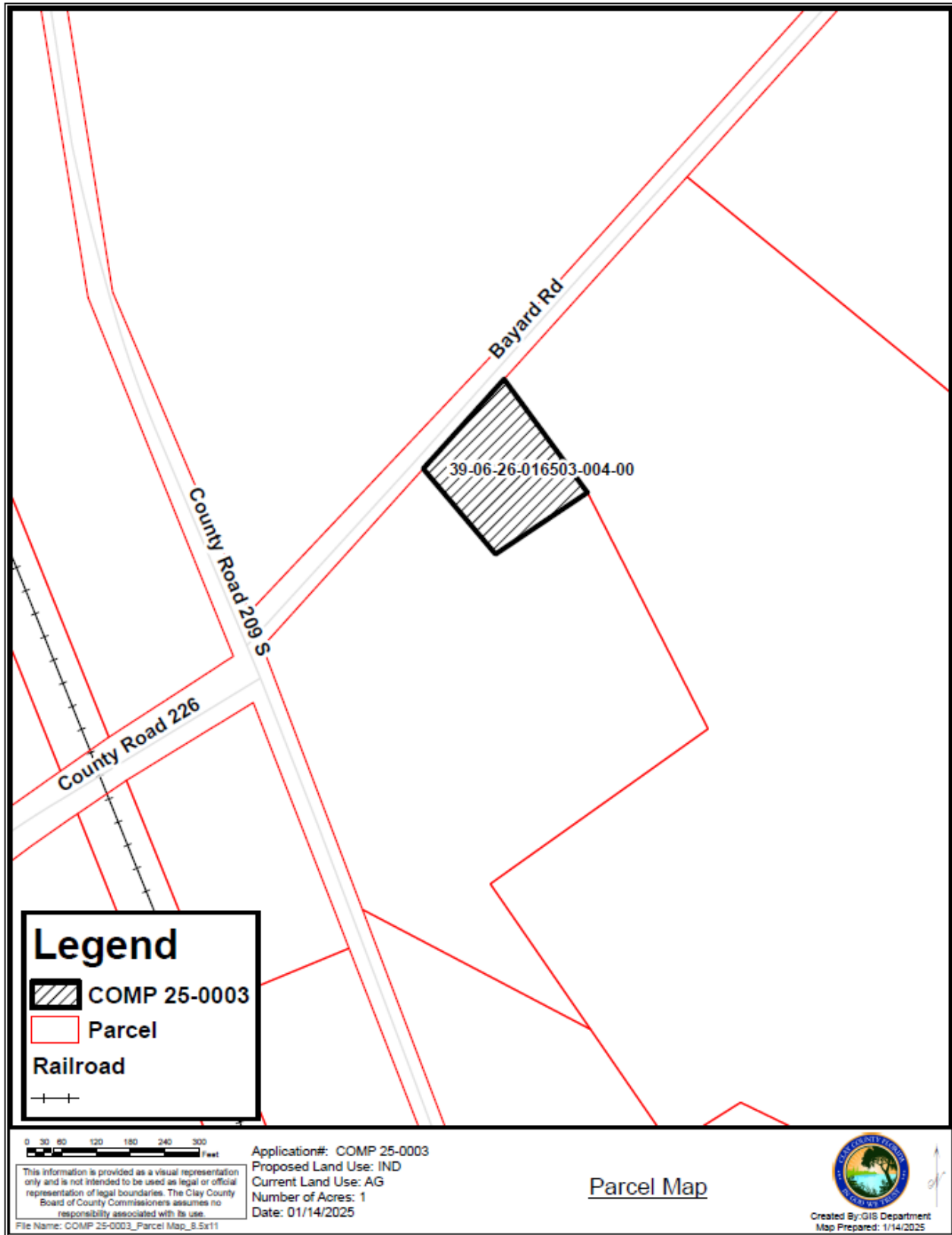


Figure 3 - Aerial Photo



Figure 4 – Existing Future Land Use Designation Map

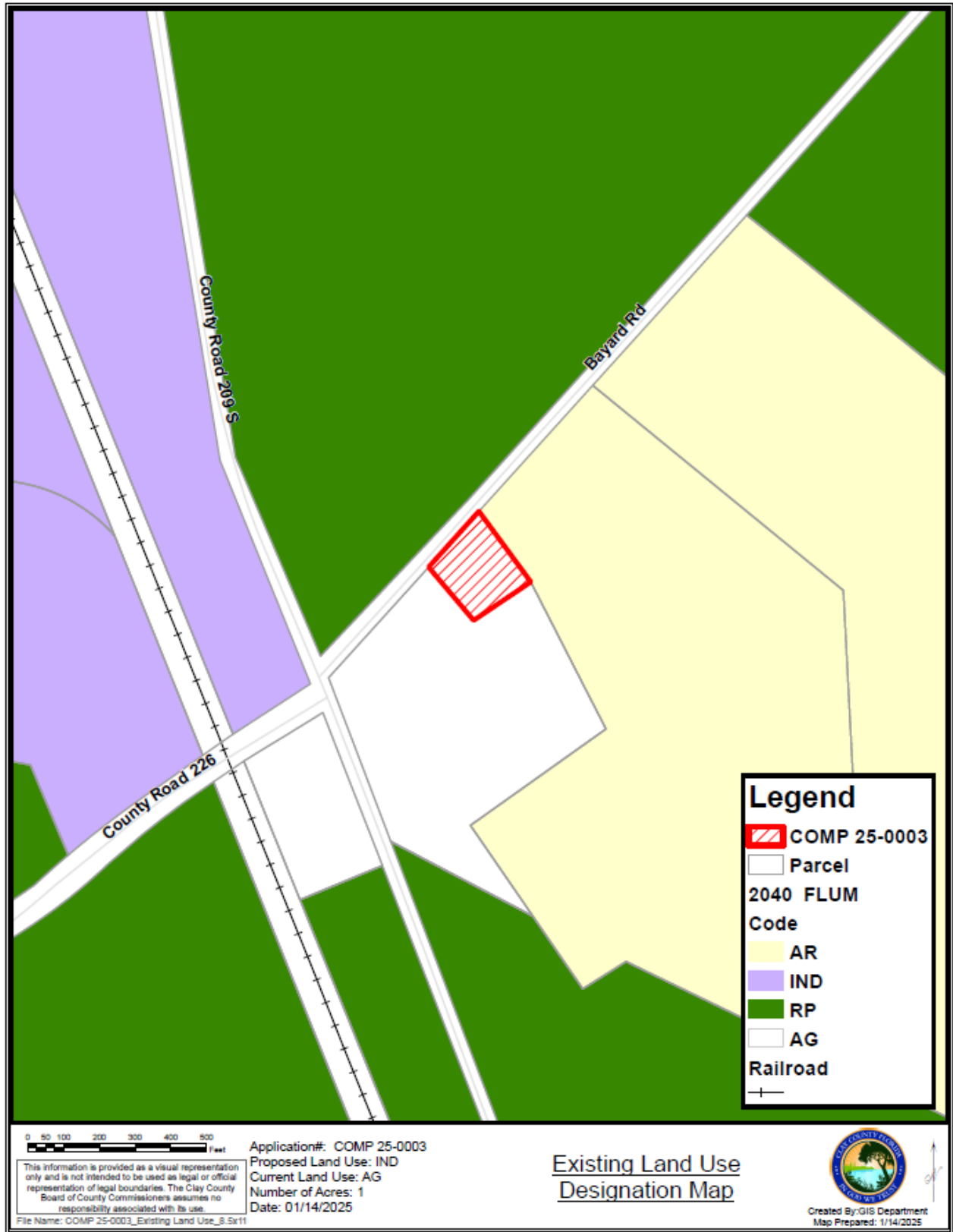


Figure 5 – Proposed Future Land Use Designation Map

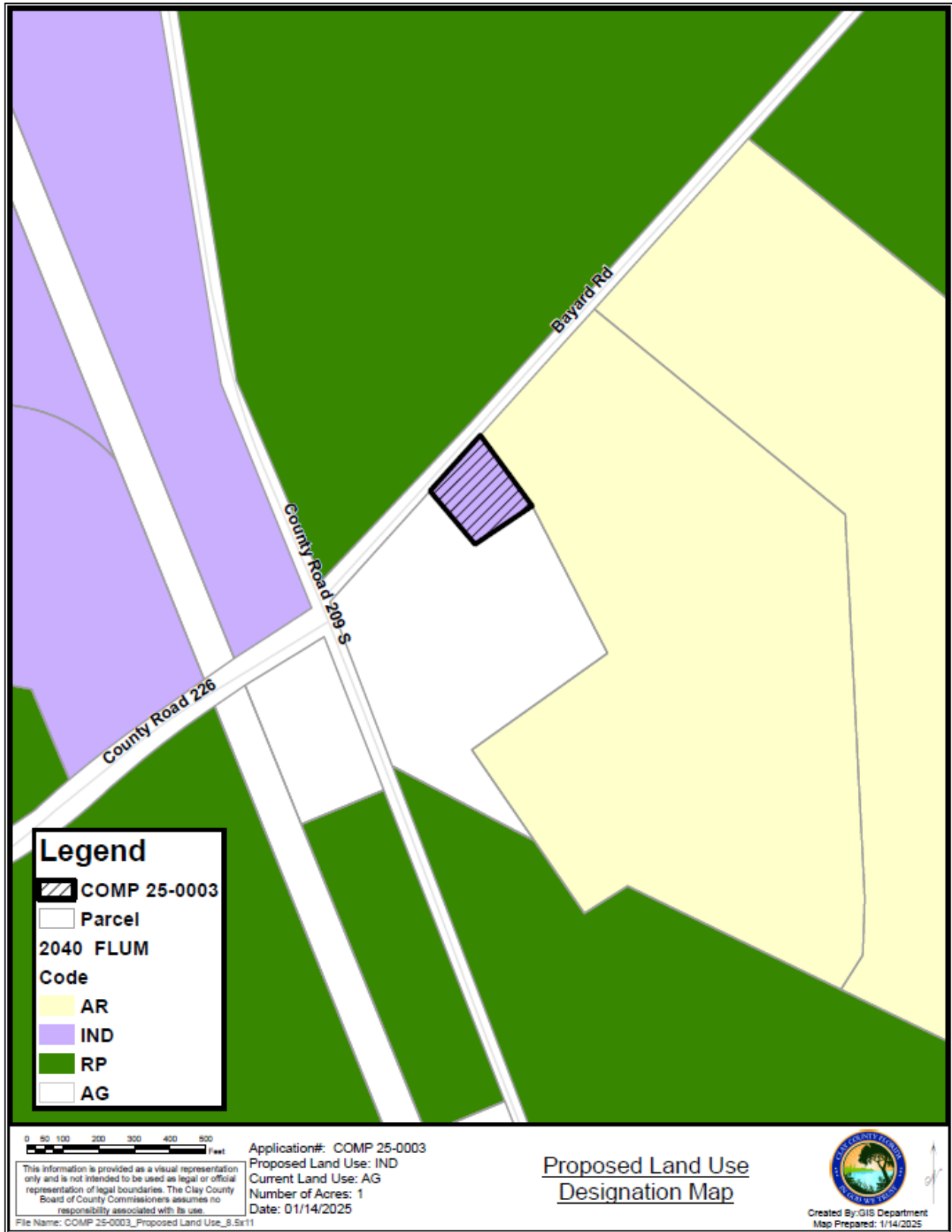
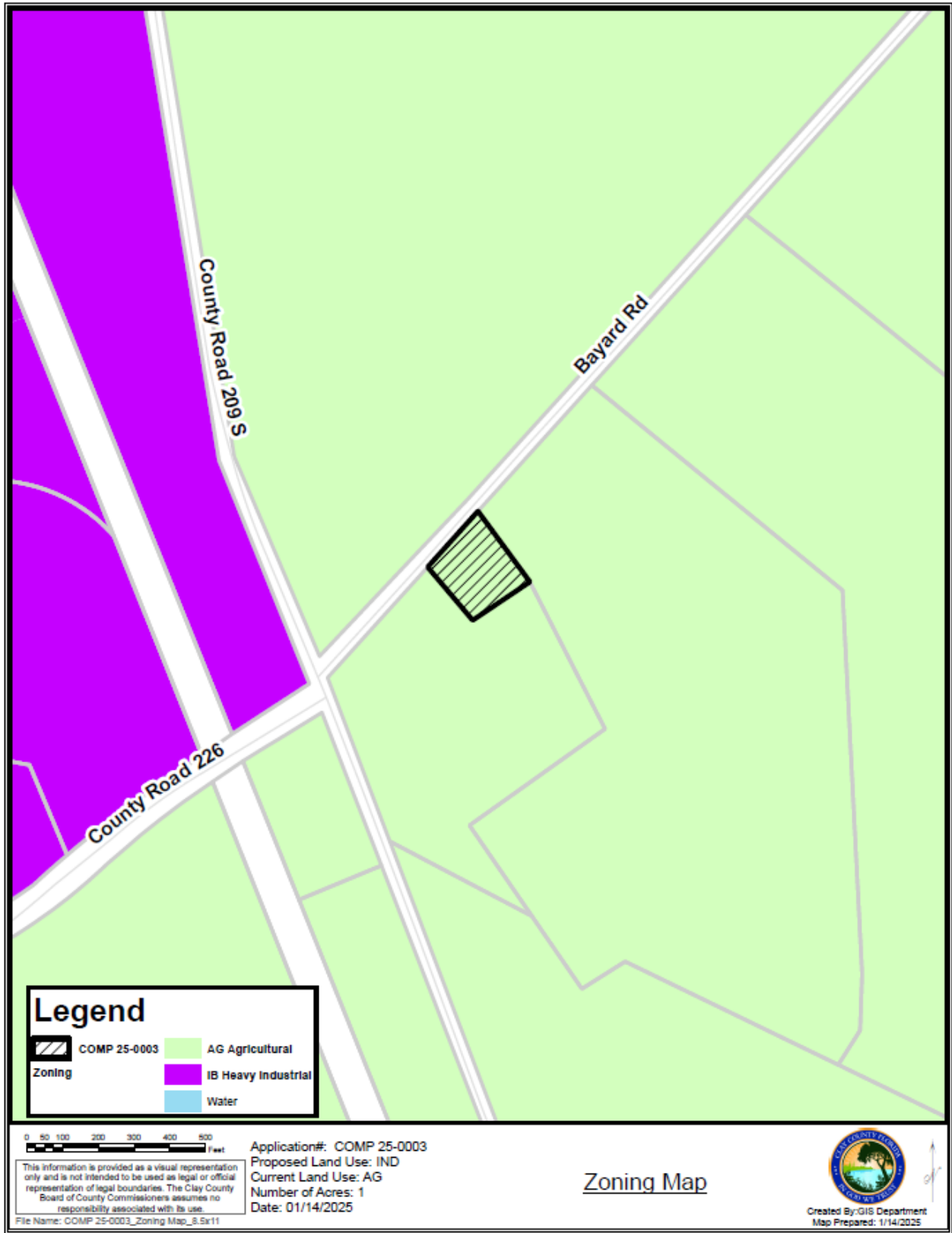


Figure 6 – Zoning Map



32 **Availability of Services**

33 **Traffic Facilities:**

34 The County’s Mobility Fee will apply to development of this property. A truck route for the development
35 should be established prior to building permit approval.

36 **Schools:**

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

39 **Recreation:**

40 There are no residential uses associated with this land use change, therefore no recreational uses are
41 required.
42

43 **Water and Wastewater:**

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

52 **Land Suitability:**

53 **Soils:**

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

55 **Flood Plain:**

56 An “A” Flood Zone runs along the eastern and southern sides of the property. The owner will either need
57 leave this portion undeveloped or meet the FEMA criteria for development. Development impacts within
58 any floodplain area on the subject parcel will be required to be mitigated. See Figure 8.

59 **Topography:**

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

61 **Regionally Significant Habitat:**

62 There is a bald eagle nest to the North of the site as indicated in Figure 10

63 **Historic Resources:**

64 There are potential historic sites to the north, south and west of the subject property. Should historic artifacts
65 be found the appropriate state agencies must be informed and construction halted. See Figure 11.

66 **Compatibility with Military Installations:**

67 The subject property is not located near Camp Blanding.
68

Figure 7 – Soil Map

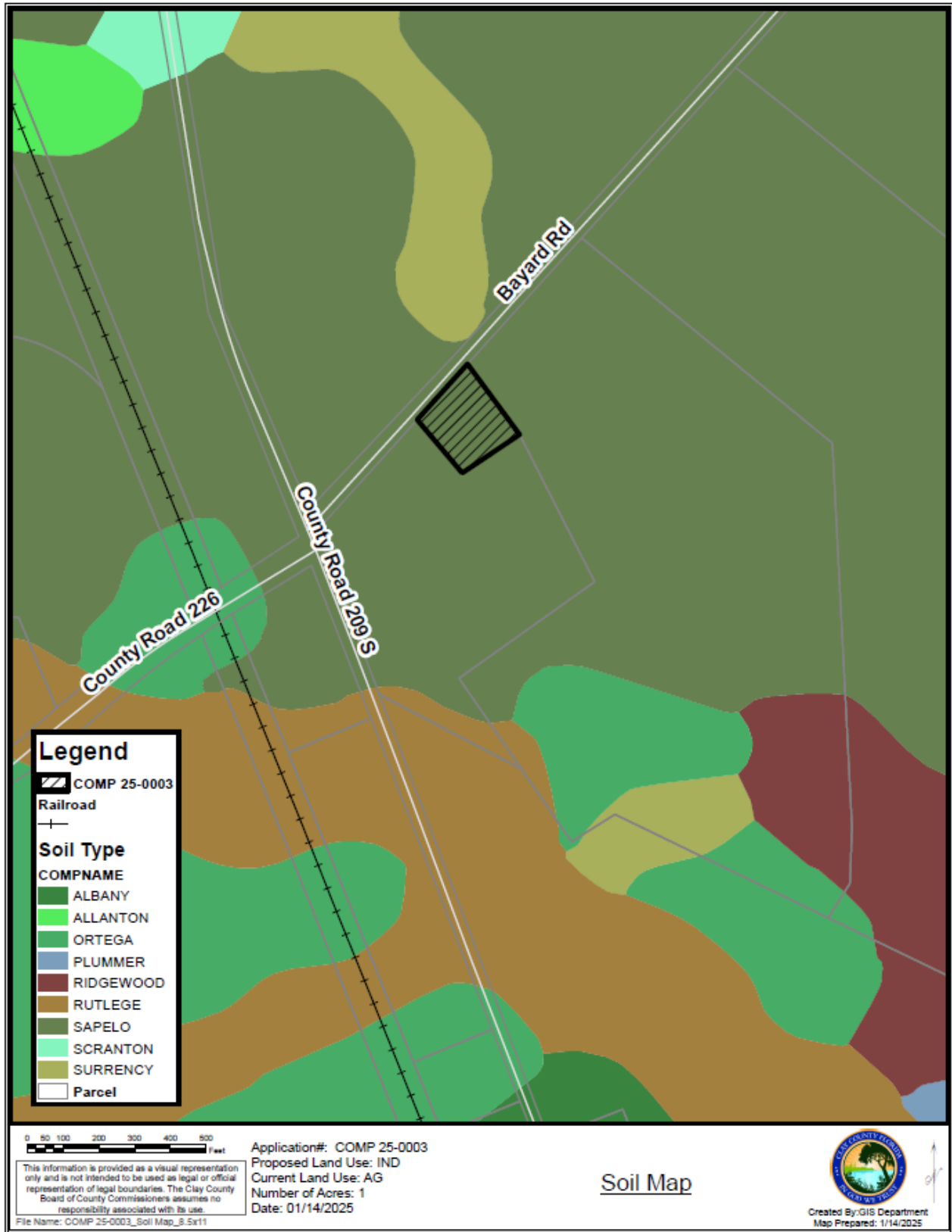


Figure 8 – Flood Zone Map

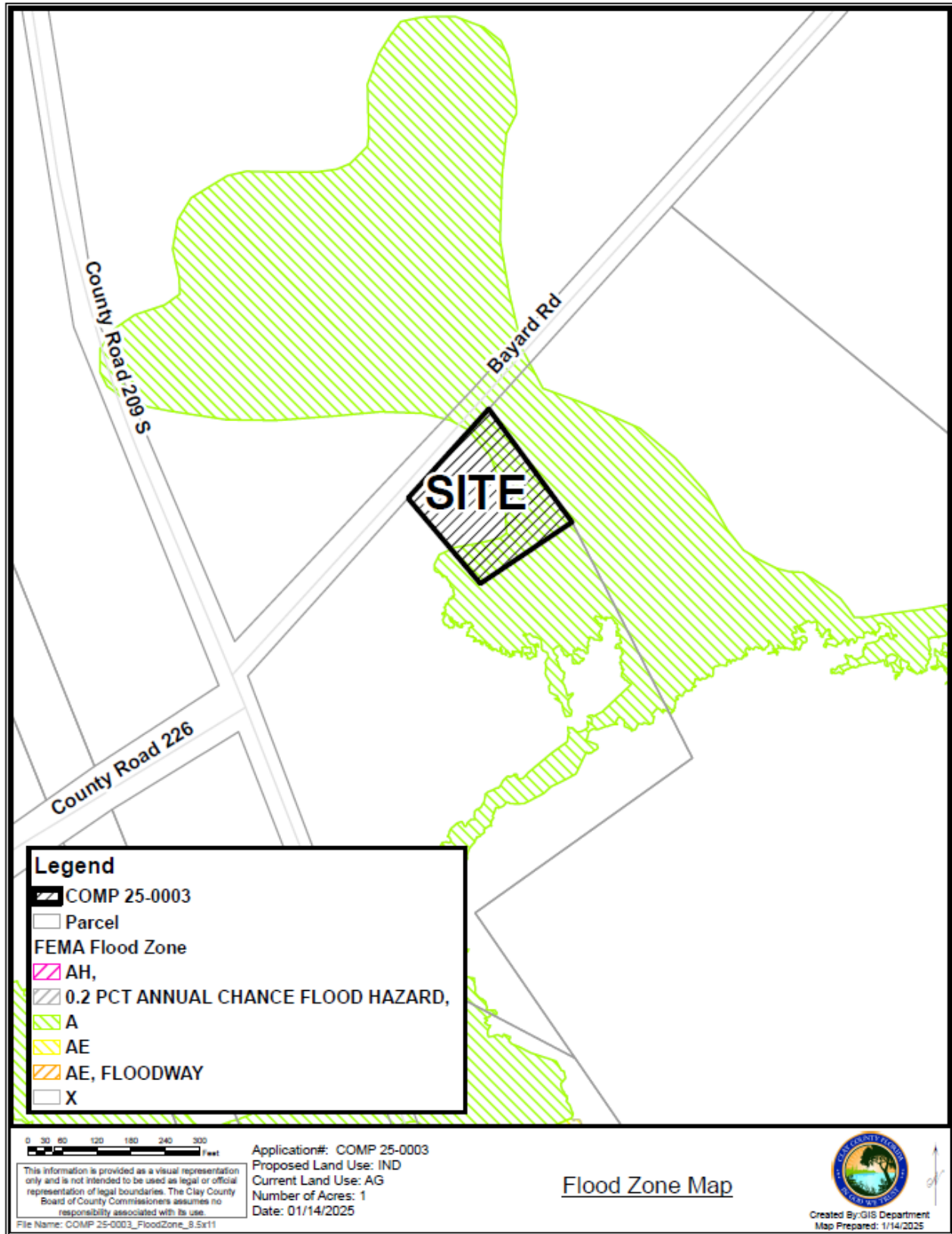


Figure 9 – Topography Map

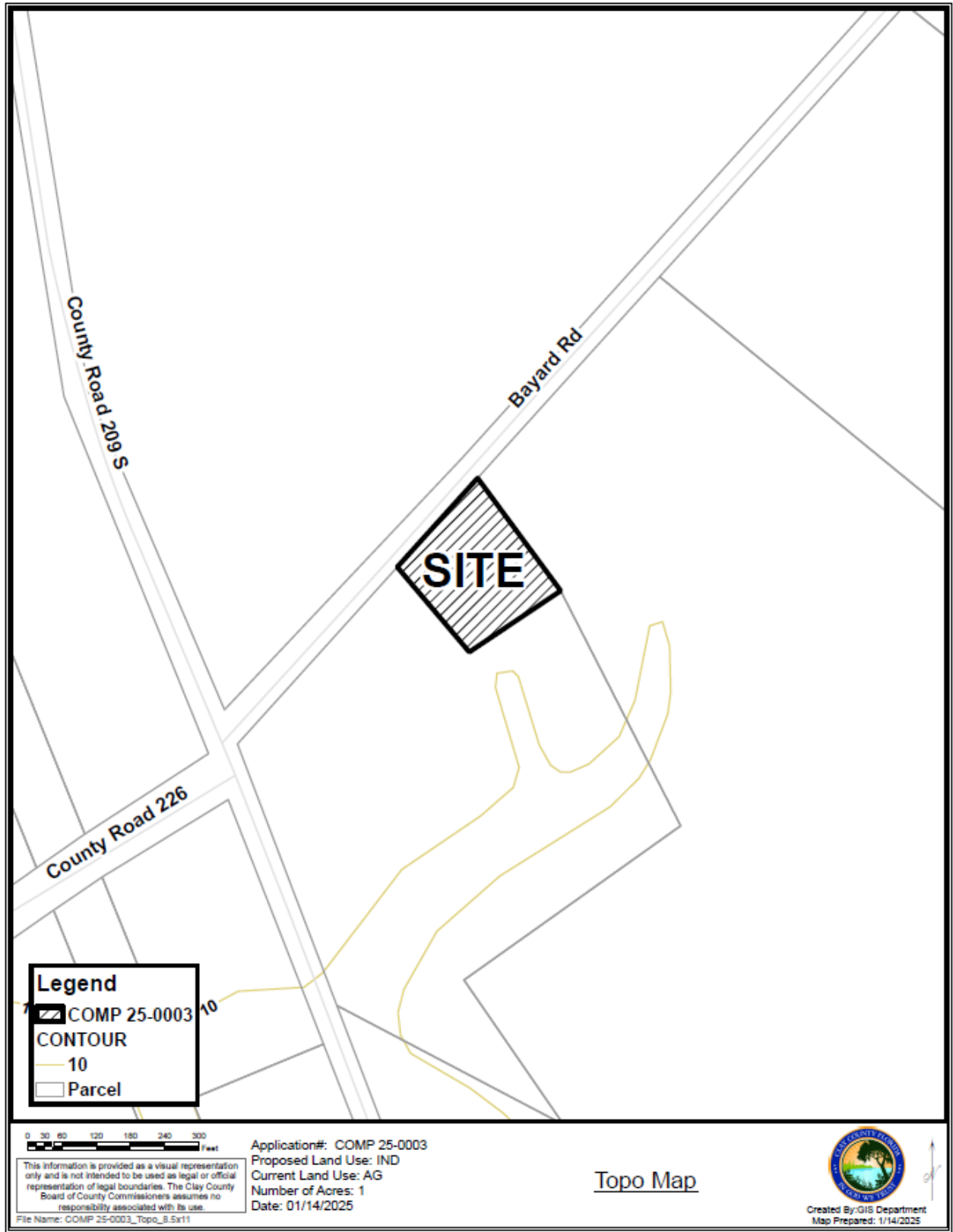


Figure 10 – Habitat Value Map

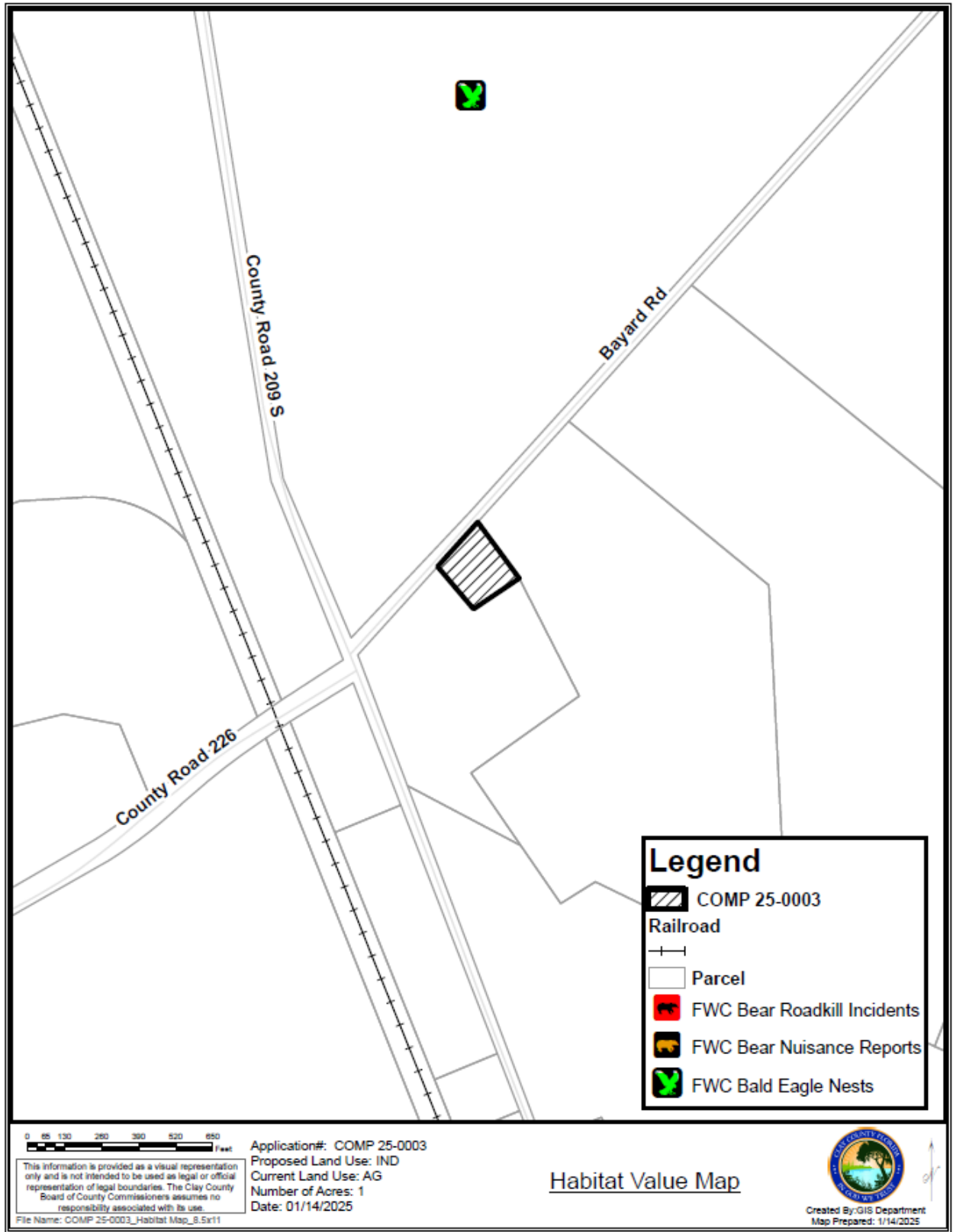
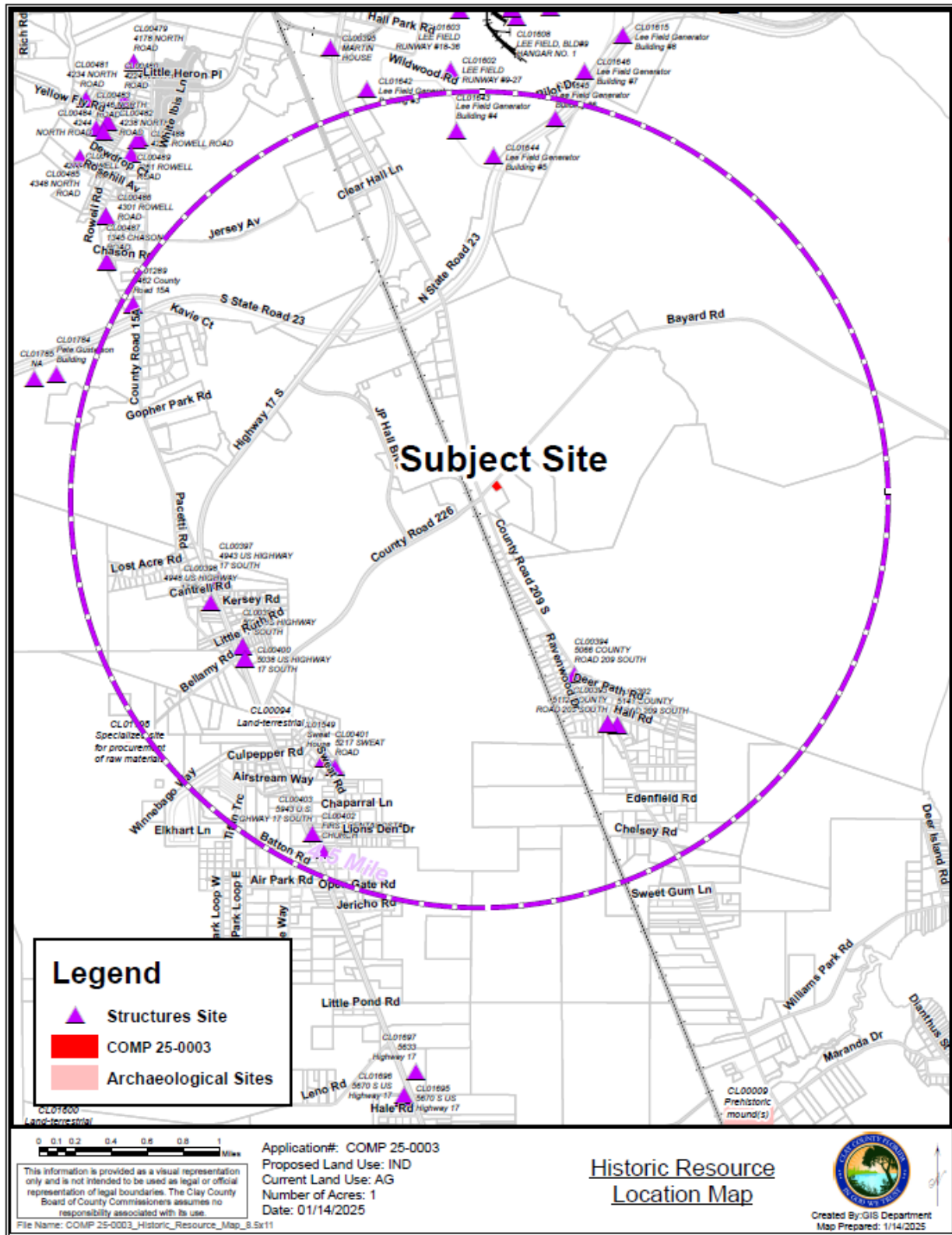


Figure 11 - Historical Resources



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

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

81 FLU Policy 1.4.1.12 Industrial (IND)

82 This designation accommodates the full range of industrial activities. The specific range and intensity for
 83 uses appropriate in a particular industrial area varies by location as a function of the availability of public
 84 services and access, and compatibility with surrounding uses shown on the Future Land Use Map.
 85 Through the zoning review process the use of particular sites or areas may be limited to allowable uses
 86 specified and defined by the Land Development Regulations.

87
 88 EDE OBJ 1.2 Clay County shall ensure an adequate supply of land uses that support a viable
 89 economy and allow for employment generation such as office and industrial uses on the Future Land Use
 90 Map (FLUM).

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

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

98
 99 **Analysis of Surrounding Uses**

100 The proposed Future Land Use amendment would change the acreage of a single parcel of land (8.96 acres)
 101 from AG (Agriculture) to IND (Industrial). This change would be in keeping with the evolving character of
 102 the surrounding districts as shown in the table below:

	Future Land Use	Zoning District
North	RP/IND Recreation/preservation, Industrial	AG/IB
South	RP Recreation/Preservation	AG (Agriculture)
East	AR (Agriculture/Residential) IND Industrial (Proposed under COMP 24-0018)	AG (Agricultural) IB Industrial (Proposed under ZON 24-0024)
West	AG - IND Industrial (Proposed under COMP 24-0016	AG (Agricultural) IB Industrial (Proposed under ZON 24-0019)

103

104 Analysis Regarding Urban Sprawl

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

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

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

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

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

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

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

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

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

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

127 Summary

128 The proposed amendment would change the Future Land Use of 1.0 acres from AG to IND.

129 Recommendation

130 Based on the above criteria outlining consistency with the Clay County Comprehensive Plan, Staff
131 recommends **approval** of the small-scale Comprehensive Plan amendment COMP 25-0003.

132

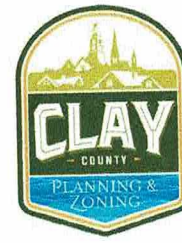


Department of Economic and Development Services
Planning & Zoning Division

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

Phone: (904) 284-6300

www.claycountygov.com



Pre-Application Meeting Date: <u>1/8/2025</u>	CAC Meeting Date (if applicable):
Date Rec: <u>1</u>	Received By:
	IMS #:

Amendment to the Comprehensive Plan Application

Owner's Name: <u>John P Hau III</u>	If the property is under more than one ownership please use multiple sheets.	
Owner's Address: <u>2321 Egremont Drive, OP</u>		
City: <u>Orange Park</u>	State: <u>FL</u>	Zip Code: <u>32073</u>
Phone: <u>904-860-8739</u>	Email:	
Parcel Information		
Parcel Identification Number Including Section, Township and Range: <u>39-06-26-016503-004 - 00</u>		
Address: <u>935 Bayard</u>		
City: <u>Green Cove Spring</u>	State: <u>FL</u>	Zip Code: <u>32043</u>
Current Land Use: <u>AG</u>	Proposed Land Use: <u>IND</u>	
Total Acreage: <u>1.0</u>	Adjacent Land Use North: <u>Under Review IND</u>	
Adjacent Land Use South: <u>Under Review IND</u>	Adjacent Land Use East: <u>Under Review IND</u>	
Adjacent Land Use West: <u>AG</u>		
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 checked="" type="checkbox"/> Property Deed(s)	<input type="checkbox"/> Survey
Statement of Purpose, Scope and Justification (at a minimum) statements and supporting material of the following: <ul style="list-style-type: none">• Proposed Density and/or Intensity of Use• Recreation Impacts and Improvements**• Stormwater / Drainage Impacts and Improvements**• Water and Wastewater Impacts and Improvements**• Urban Sprawl• Traffic Impacts and Improvements**• Site Suitability• Solid Waste Impacts and Improvements** **Please include description of improvements necessary to accommodate the proposed changes, as well as supporting data and proposed funding sources.		
Fees: <input type="checkbox"/> Large Scale Amendment: \$2500.00 + \$5.00 per acre or fraction thereof <input type="checkbox"/> Text Amendment: \$2,500.00 <input type="checkbox"/> 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.

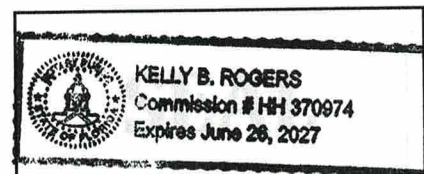
Owner(s) / Authorized Agent Signature

Virginia S. Hall
Owner(s) / Authorized Agent Signature

State of Florida
County of Clay

The foregoing affidavit was sworn and subscribed before me this 10th day of January
(month), 2025 (year) by Virginia S. Hall, who is personally known to me
or has produced _____ as identification.

Kelly B. Rogers
Notary Signature



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

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 32043

To Whom it May Concern:

Be advised that I am the lawful Owner of the property described in the provided legal description attached hereto. As the Owner, I hereby authorize and empower Bert Royal whose address is:

3688 Lacosta Ct

Green Cove Sp. FL 32043

Phone: 904-294-2784

Email: Van Royal 2 @ outlook.com

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

39-06-26-016503-004-00

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.

Signature of Owner:

Date:

Virginia S. Hall

1-10-25

Printed Name of Owner:

Virginia S. Hall

Sworn to and subscribed before me this 10th day of January A.D. 20 25

Personally known or produced identification.

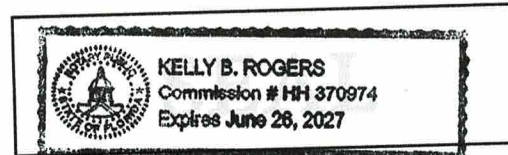
Type of identification produced _____ and number (#): _____

Signature of Notary

Date:

Kelly B. Rogers

1/10/25



AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2040 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2018-31, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF A SINGLE PARCEL OF LAND (TAX PARCEL IDENTIFICATION # 39-06-26-016503-004-00), TOTALING APPROXIMATELY 1.0 ACRE, FROM AGRICULTURE (AG) TO INDUSTRIAL (IND); 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 25-0003 requests an amendment to the Plan; and,

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

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

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

Section 2. The adopted Future Land Use Map of the Plan is hereby amended such that the Future Land Use designation for a single parcel of land (tax parcel identification # 39-06-26-016503-004-00), totaling approximately 1.0 acre, described in Exhibit “A-1”, and depicted in Exhibit “A-2” is hereby changed from AGRICULTURE (AG) to INDUSTRIAL (IND).

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 March 2025.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Betsy Condon, Its Chairman

ATTEST:

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

MAP SHOWING BOUNDARY SURVEY OF

A PARCEL OF LAND CONSISTING OF A PORTION OF LOT 1, BLOCK 18; A PORTION OF LOT 1, BLOCK 20; AND A PORTION OF LOT 10, BLOCK 21, CLINCH ESTATE, CLAY COUNTY, FLORIDA, ACCORDING TO PLAT BOOK 1, PAGES 31, 32, 33 AND 34 OF THE PUBLIC RECORDS OF SAID COUNTY, TOGETHER WITH A PORTION OF A PLATTED ROAD (VACATED) LYING BETWEEN SAID BLOCKS 18 AND 20; A PORTION OF A PLATTED ROAD (VACATED) LYING BETWEEN SAID BLOCKS 20 AND 21 AND A PORTION OF A PLATTED ROAD (VACATED) LYING BETWEEN SAID BLOCK 21 AND BLOCK 14, SAID CLINCH ESTATE, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

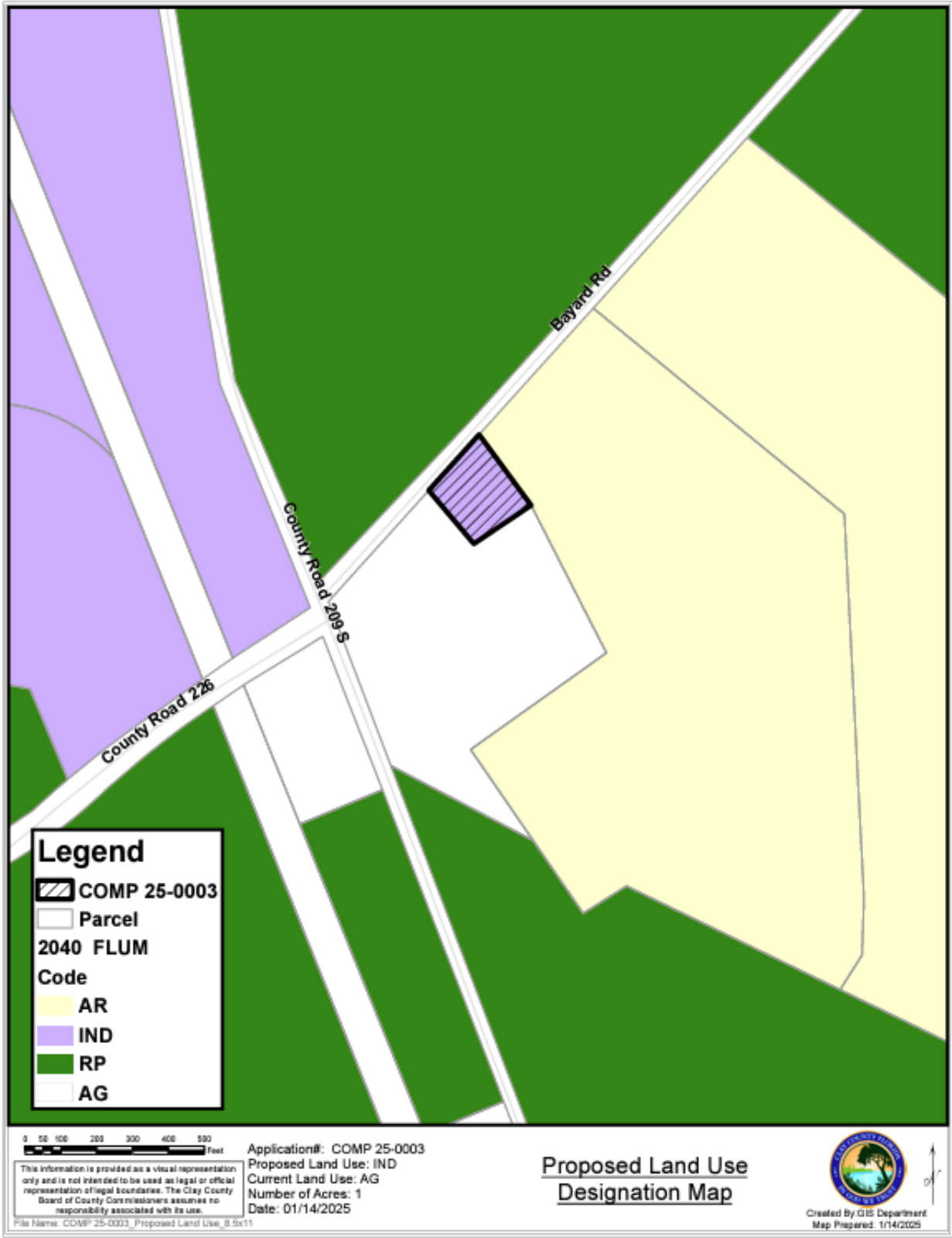
COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARKE'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE) TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. 2-209; THENCE ON LAST SAID LINE RUN THE FOLLOWING 4 COURSES: 1) NORTH 33 DEGREES 52 MINUTES 47 SECONDS WEST 3346.02 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 626.03 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 31 MINUTES 04 SECONDS WEST; 3) NORTH 21 DEGREES 09 MINUTES 15 SECONDS WEST 1878.38 FEET; 4) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 5769.58 FEET, A CHORD DISTANCE OF 155.33 FEET, THE BEARING OF SAID CHORD BEING NORTH 21 DEGREES 55 MINUTES 32 SECONDS WEST; THENCE NORTH 41 DEGREES 46 MINUTES 37 SECONDS EAST 403.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 41 DEGREES 46 MINUTES 37 SECONDS EAST 208.54 FEET; THENCE SOUTH 29 DEGREES 40 MINUTES 35 SECONDS EAST 251.05 FEET; THENCE SOUTH 41 DEGREES 46 MINUTES 44 SECONDS WEST 157.69 FEET; THENCE NORTH 41 DEGREES 16 MINUTES 33 SECONDS WEST 239.77 FEET TO THE POINT OF BEGINNING, BEING 1.00 ACRE, MORE OR LESS, IN AREA.

SCALE: 1" = 50'

FOR J.P. HALL

MAY 26, 1998

Exhibit "A-2"





1 **Staff Report and Recommendations for ZON 25-0002**

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: John P Hall III

Address: PO Box 395

Agent: Bert Royal

Green Cove Springs, FL 32043-0395

Phone: 904-294-2784

Email: Vanroyal2@outlook.com

7

8 **Property Information**

Parcel ID: 39-06-26-016503-004-00

Address: Bayard Road

Green Cove Springs, FL 32043

Current Land Use: RF (Rural Fringe)

Current Zoning: AG (Agricultural District)

Proposed Zoning: IB (Heavy Industrial District)

Acres: 15.01 +/- acres

Acres affected by Zoning change: 1 +/-
acres

Commission District: 5, Comm. Burke

Planning District: The Springs

9

10 **Introduction:**

11 This application is an Applicant driven Rezoning of a single parcel of land from AG (Agricultural District)
12 to IB (Heavy Industrial District). The subject parcel is located on the southeast side of Bayard Road, just
13 northeast of County Road 209 South. A companion Future Land Use change from AG (Agricultural) to
14 IND (Industrial) is being heard concurrently with this rezoning. There is an existing structure on the parcel.

15

16 The land is adjacent to other parcels, to the east and west, that are also pursuing the same request for re-
17 zoning and land use change. The parcels to the northeast and southwest of the subject property, have a Future
18 Land Use of Recreation/Preservation and are owned by the St John's River Water Management District.
19 These parcels, as outlined in the Clay County Comprehensive Plan, are generally owned by public or quasi-
20 public entities. The lands are held for use as non-profit public recreation and open space amenities, and
21 include natural resource land management activities and associated uses.

22 Those lands owned and maintained by public agencies and open to the public comprise the inventory of
23 regional park facilities in Clay County", and therefore have limited ability to develop. This bank of properties
24 is in close proximity to the active CSX railroad line and the proposed First Coast Expressway. As the
25 transportation investments that support a heavy industrial use are in place, or will be within the short term,

26 the expansion of the Industrial district is an appropriate change. The requested change is supported by the
27 Clay County 2040 Comprehensive Plan through objective EDE 1.2 which states:

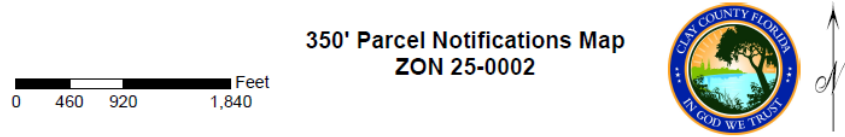
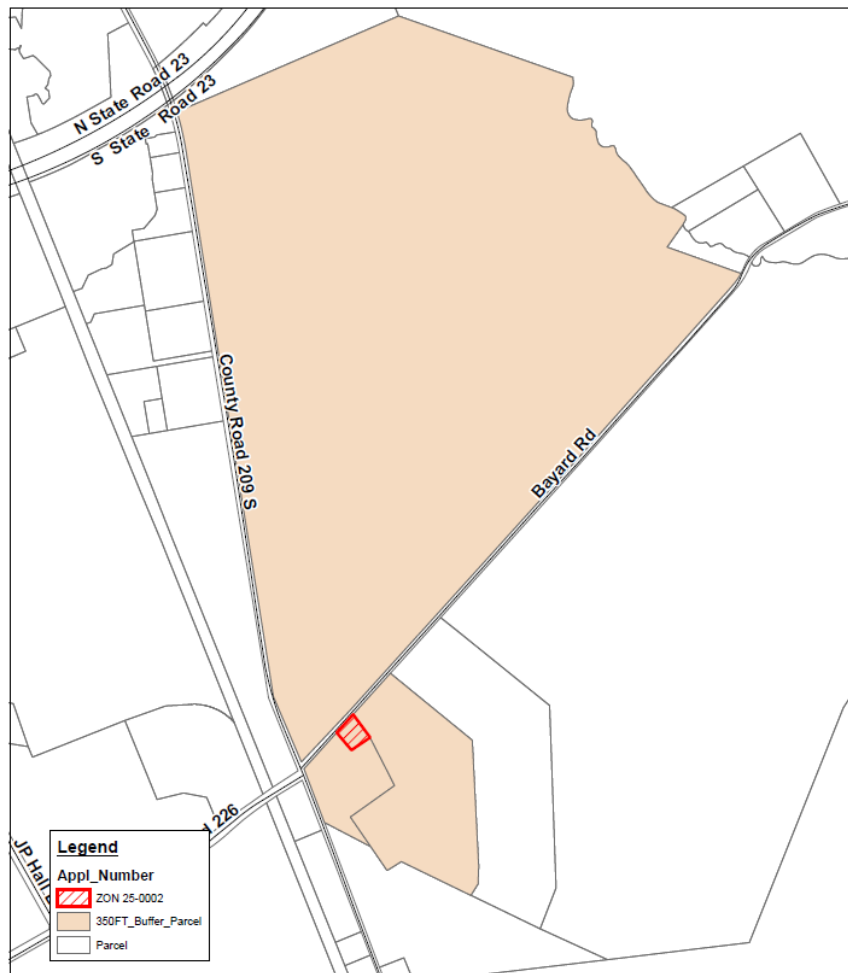
28

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

32

33

Figure 1 – Parcel Map

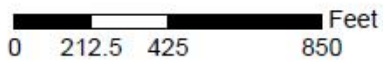
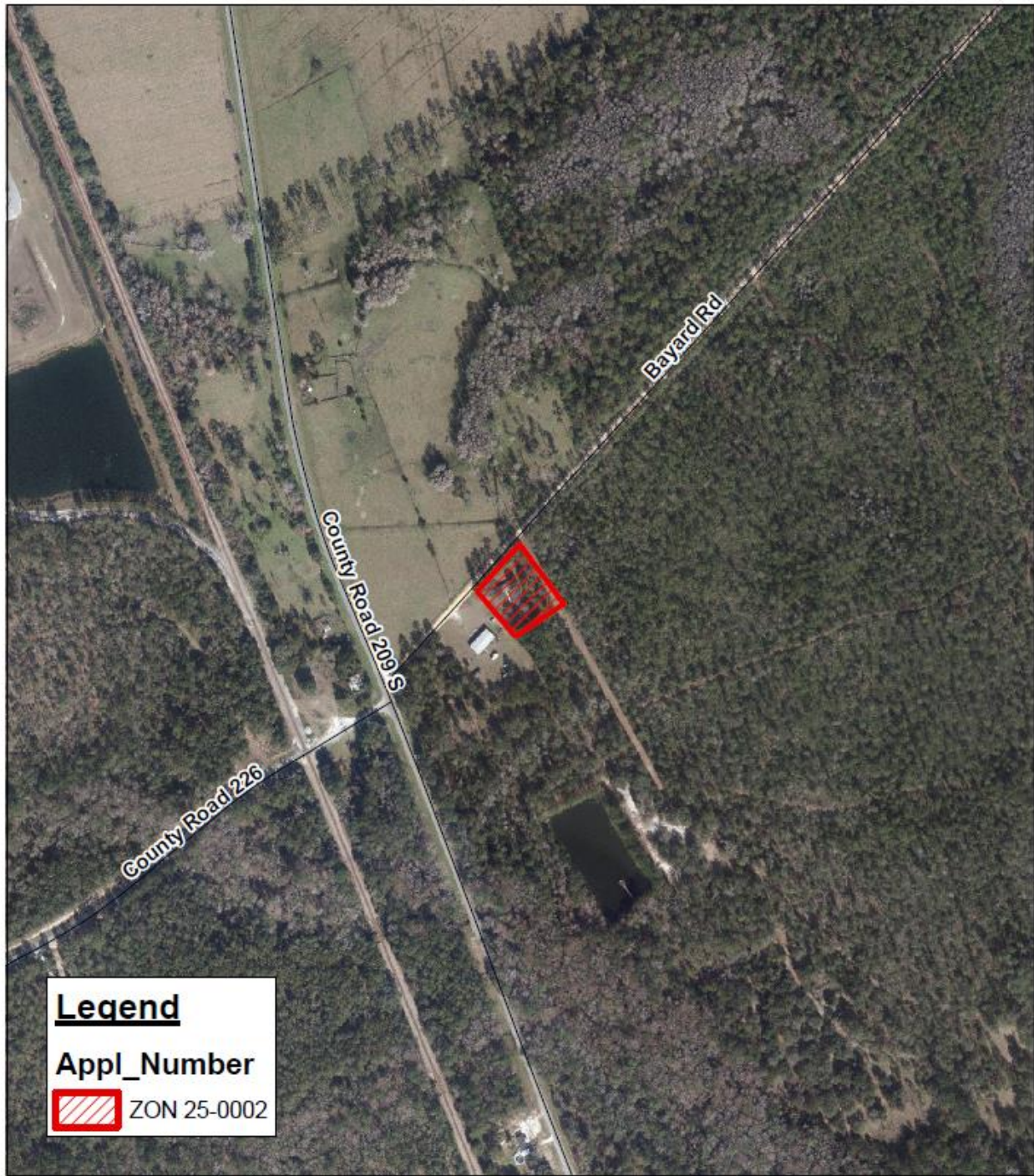


34

35

36

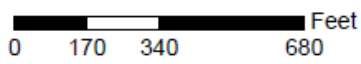
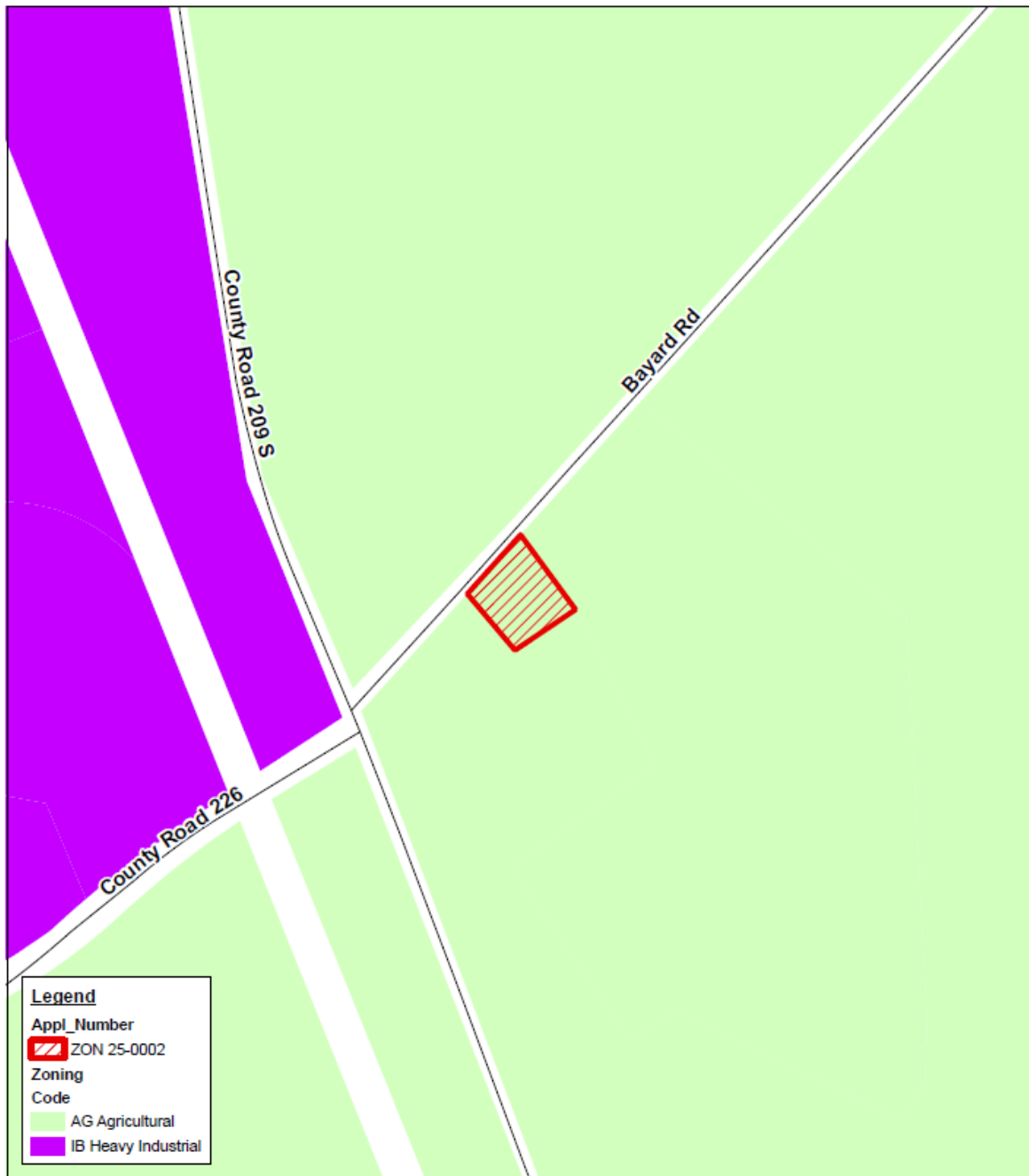
Figure 2 – Aerial Photo



**Rezoning: ZON 25-0002
from AG to IB**



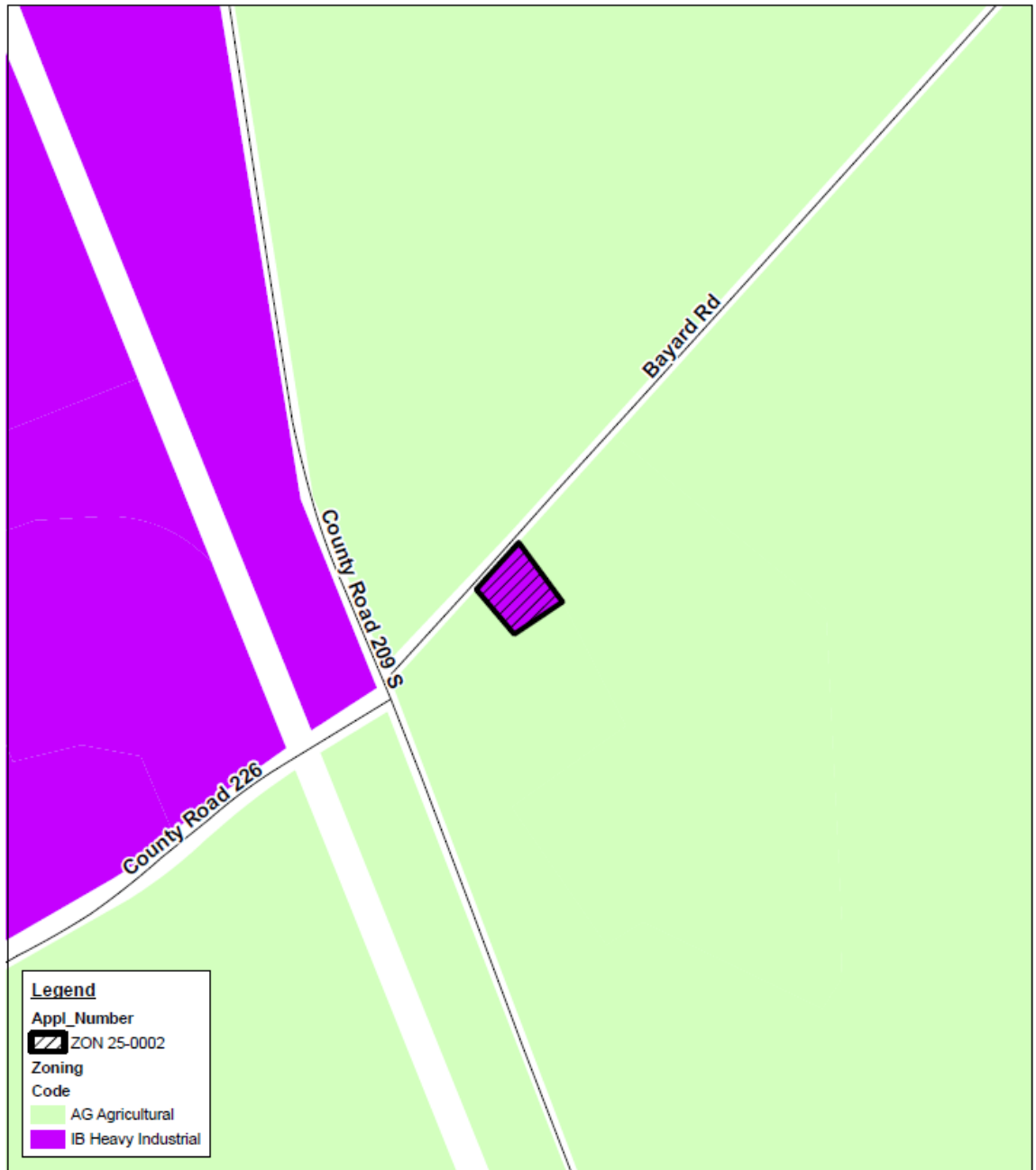
Figure 3 – Existing Zoning Map




**Existing Zoning
Rezoning: ZON 25-0002
from AG to IB**





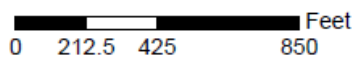
Figure 4 – Proposed Zoning Map



Legend

Appl. Number
 ZON 25-0002

Zoning Code
 AG Agricultural
 IB Heavy Industrial



**Proposed Zoning
 Rezoning: ZON 25-0002
 from AG to IB**



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

48

49

50

Surrounding Zonings

	ZONING	FUTURE LAND USE
North	IB (Heavy Industrial) and AG (Agriculture)	IND and RP
East	IB Heavy Industrial (Proposed under ZON 24-0024)	IND Industrial (Proposed under COMP 24-0018)
West (Across CR 209S)	IB Heavy Industrial (Proposed under ZON 24-0019)	IND Industrial (Proposed under COMP 24-0018)
South	AG (Agriculture)	RP Recreation/Preservation

51

52

53 Relevant Clay County 2040 Comprehensive Plan Policies

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

55 FLU Policy 1.4.1.12 Industrial (IND)

56 This designation accommodates the full range of industrial activities. The specific range and intensity
57 for uses appropriate in a particular industrial area varies by location as a function of the availability
58 of public services and access, and compatibility with surrounding uses shown on the Future Land Use
59 Map. Through the zoning review process the use of particular sites or areas may be limited to
60 allowable uses specified and defined by the Land Development Regulations. Proposed IB Zoning
61 District

62

63 **Sec. 3-30. HEAVY INDUSTRIAL DISTRICT (ZONE IB)**

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

69

70 (b) *Uses Permitted.*

- 71 (1) Any uses permitted in the Light Industrial District (Zone IA) and Industrial
72 Select District (Zone IS).
73
- 74 (2) Airports, landing strips, and heliports. The development and operation of these
75 facilities shall conform to all rules and regulations of all governmental agencies
76 having appropriate jurisdiction and to the performance standards of this Article.
- 77 (3) Accessory uses such as dining and recreation facilities as convenience to
78 occupants thereof and their customers and employees, and business offices
79 accessory to the primary industrial use.
80
- 81 (4) Communication Antennas and Communication Towers, including accessory
82 buildings, tower support and peripheral anchors as governed by the provisions of
83 Section 20.3-46 of the Clay County Land Development Code. (Amended 11/26/96
84 - Ord. 96-58).
85
- 86 (5) Any manufacturing, recycling, distribution, warehousing, or associated uses not
87 in conflict with ordinances dealing with incinerators and toxic or hazardous
88 waste.
89
- 90 (6) Medical Transport. (Rev. 10/26/10)
- 91 (c) *Conditional Uses.* The following uses are permitted in the IB zoning district, subject to
92 the conditions provided in Section 20.3-5.
93
- 94 (1) Public assembly.
- 95 (2) Rock crushing; rock or sand storage yards; and stone cutting.
- 96 (3) Residential dwelling.
97
- 98 (4) Public and/or private sewer facilities.
99
- 100 (5) Land Clearing Debris Disposal Facility (Amended 6/98 - Ord. 98-27)
101
- 102 (6) Recreational Vehicle and Boat Storage

- 103 (d) *Uses Not Permitted.*
- 104 (1) Any use not allowed in (b) or (c) above.
- 105
- 106 (e) *Lighting Adjacent to Residential Districts.* Artificial lighting used to illuminate the
- 107 premises and/or advertising copy shall be directed away from adjacent residential or
- 108 agricultural districts.
- 109
- 110 (f) *Density Requirements.* The maximum density for development on land with the IB
- 111 zoning classification shall correspond to a floor area ratio (FAR) of fifty (50) percent.
- 112 (g) *Lot and Building Requirements.* The principal building(s), accessory structures and other
- 113 uses shall be located so as to comply with the following minimum requirements.
- 114 *Rev. 04/22/08*
- 115 (1) Side lot setbacks on property which abuts residential or agricultural districts shall
- 116 be not less than 20 feet. If said lot is a corner lot, the setback shall be the same as
- 117 for the front lot.
- 118
- 119 (2) Rear lot line setbacks shall be twenty (20) feet. If the rear yard does not abut a
- 120 public street, then access shall be not less than twenty (20) feet in width and shall
- 121 be unobstructed at all times.
- 122
- 123 (3) Front lot line setbacks shall in no case be less than twenty-five (25) feet.
- 124 (4) All structures shall be set back a minimum of 50 feet landward from the ordinary
- 125 high-water line or mean high-water line, whichever is applicable; for waters
- 126 designated as Aquatic Preserves or Outstanding Florida Waters, the setback will
- 127 be 100 feet. These setbacks shall not apply to structures on lots or parcels located
- 128 landward of existing bulkheads permitted by the St. Johns River Water
- 129 Management District or Florida Department of Environmental Protection.
- 130 (5) Where a district is adjacent to a lot line of property of a residential or agricultural
- 131 classification, no materials, garbage containers, or refuse shall be allowed nearer
- 132 than fifteen (15) feet to such a residential or agricultural district. Garbage or
- 133 refuse shall be screened so as not to be readily visible.
- 134
- 135 (6) Visual Barrier: Proposed non-residential development shall be buffered from

136 adjacent land within the residential land use categories identified in Section 20.3-
137 8 with a ten(10) foot landscaped area, minimum six (6) foot high opaque barrier
138 (fence or vegetation) and tree planting thirty (30) feet on center. For all
139 development commenced on or after January 28, 2003, the provisions of this
140 subsection shall not apply. For developments that commence after this date,
141 the provisions of Article VI of the Clay County Land Development Code (the Tree
142 Protection and Landscaping Standards) will apply. (Rev. 02/08/11)
143

144 **Analysis of Proposed Rezoning Amendment**

145 In reviewing the proposed application for Rezoning, the following criteria may be considered along with
146 such other matters as may be appropriate to the particular application:
147

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

150 *Staff Finding: The adjacent parcels to the northwest are already zoned as Heavy Industrial and the lands*
151 *surrounding the subject parcel are intending to create a unified Industrial Zone. The other adjacent parcels*
152 *are zoned RP (Recreation/Preservation) which are owned by the St. John's River Water Management*
153 *District, as a result would be difficult to develop.*

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

156 *Staff Finding: The existing district boundaries are not illogically drawn. They reflect the former use of the*
157 *property as Agriculture*

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

161 *Staff Finding: This area is changing in response to the construction of the First Coast Expressway and the*
162 *need for Industrial Land for economic viability.*

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

164 *Staff Finding: The property could continue to be used for Agricultural purposes however that is not the*
165 *desire of the property owners.*

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

168 *Staff Finding: The proposed rezoning is compatible with the Comprehensive Plan and supports the*
169 *County’s initiatives for job creation in close proximity to a major transportation corridor.*

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

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

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

175 *Staff Finding: Maintaining the zoning is not a reasonable course in this location as it hinders the full use*
176 *of the parcel.*

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

179 *Staff Finding: There is a high demand for industrial lands in this area of the County.*

180 **Recommendation**

181 Based on the findings in the Report, Staff recommends approval of ZON 25-0002.

182



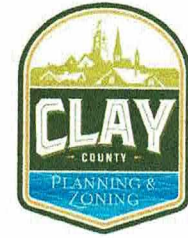
Department of Economic and Development Services

Planning & Zoning Division

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

Phone: (904) 284-6300

www.claycountygov.com



Pre-Application Meeting Date: 1/8	CAC Meeting Date (if applicable):	
Date Rec:	Received By:	IMS #:

REZONING APPLICATION

Owner's Name: John P Hall	If the property is under more than one ownership please use multiple sheets.	
Owner's Address: 2321 Egremont Drive		
City: Orange Park	State: FL	Zip Code: 32073
Phone: 904-860-8739	Email:	

Parcel & Rezoning Information

Parcel Identification Number: 39-06-24-016503-004-00		
Address: 935 Bayard		
City: Green Cove Spring	State: FL	Zip Code: 32043
Number of Acres being Rezoned: 1	Current Zoning: AG	Current Land Use: AG
Proposed Zoning: IB	I am seeking a:	Permitted Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/>
Property Will be Used as:	Industrial	

Required Attachments

<input checked="" type="checkbox"/> Deed	<input type="checkbox"/> Survey	<input type="checkbox"/> Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5
<input checked="" type="checkbox"/> Agents Authorization Attachment A-1	<input checked="" type="checkbox"/> Owner's Affidavit Attachment A-2	<input type="checkbox"/> Legal Description Attachment A-3
<input type="checkbox"/> 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.

Clay County Rezoning Agent Authorization Affidavit - Attachment A-1

Date:

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, FL 32043

To Whom it May Concern:

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

3688 LA COSTA CR

whose address is:

Green Cove Sp. FL

Phone: 904-294-2784

Email: vanroyal2@outlook.com

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

39.06.26-016503-004-00

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.

Virginia S. Hall

1-10-25

Signature of Owner:

Date:

Virginia S. Hall

Printed Name of Owner:

Sworn to and subscribed before me this 10th day of January A.D. 20 25

Personally known or produced identification.

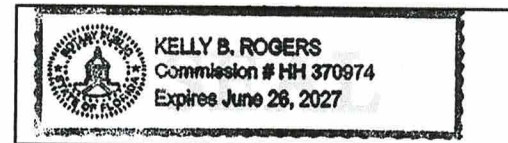
Type of identification produced _____ and number (#): _____

Kelly B. Rogers

Signature of Notary

1/10/25

Date:



AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, PURSUANT TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED PURSUANT TO ORDINANCE 93-16, AS AMENDED, PROVIDING FOR THE REZONING OF A SINGLE PARCEL OF LAND (TAX PARCEL IDENTIFICATION #39-06-26-016503-004-00, TOTALING APPROXIMATELY 1.0 ACRE, FROM ITS PRESENT ZONING CLASSIFICATION OF AGRICULTURAL (AG) TO HEAVY INDUSTRIAL (IB); PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application ZON 25-0002 seeks to rezone certain real property (tax parcel identification # 39-06-26-016503-004-00) (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 Agricultural (AG) to Heavy Industrial (IB).

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 25-0003 becoming effective.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of March, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Betsy Condon, 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. 39-06-26-016503-004-00

MAP SHOWING BOUNDARY SURVEY OF

A PARCEL OF LAND CONSISTING OF A PORTION OF LOT 1, BLOCK 18; A PORTION OF LOT 1, BLOCK 20; AND A PORTION OF LOT 10, BLOCK 21, CLINCH ESTATE, CLAY COUNTY, FLORIDA, ACCORDING TO PLAT BOOK 1, PAGES 31, 32, 33 AND 34 OF THE PUBLIC RECORDS OF SAID COUNTY, TOGETHER WITH A PORTION OF A PLATTED ROAD (VACATED) LYING BETWEEN SAID BLOCKS 18 AND 20; A PORTION OF A PLATTED ROAD (VACATED) LYING BETWEEN SAID BLOCKS 20 AND 21 AND A PORTION OF A PLATTED ROAD (VACATED) LYING BETWEEN SAID BLOCK 21 AND BLOCK 14, SAID CLINCH ESTATE, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

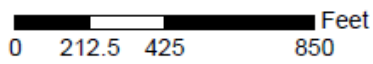
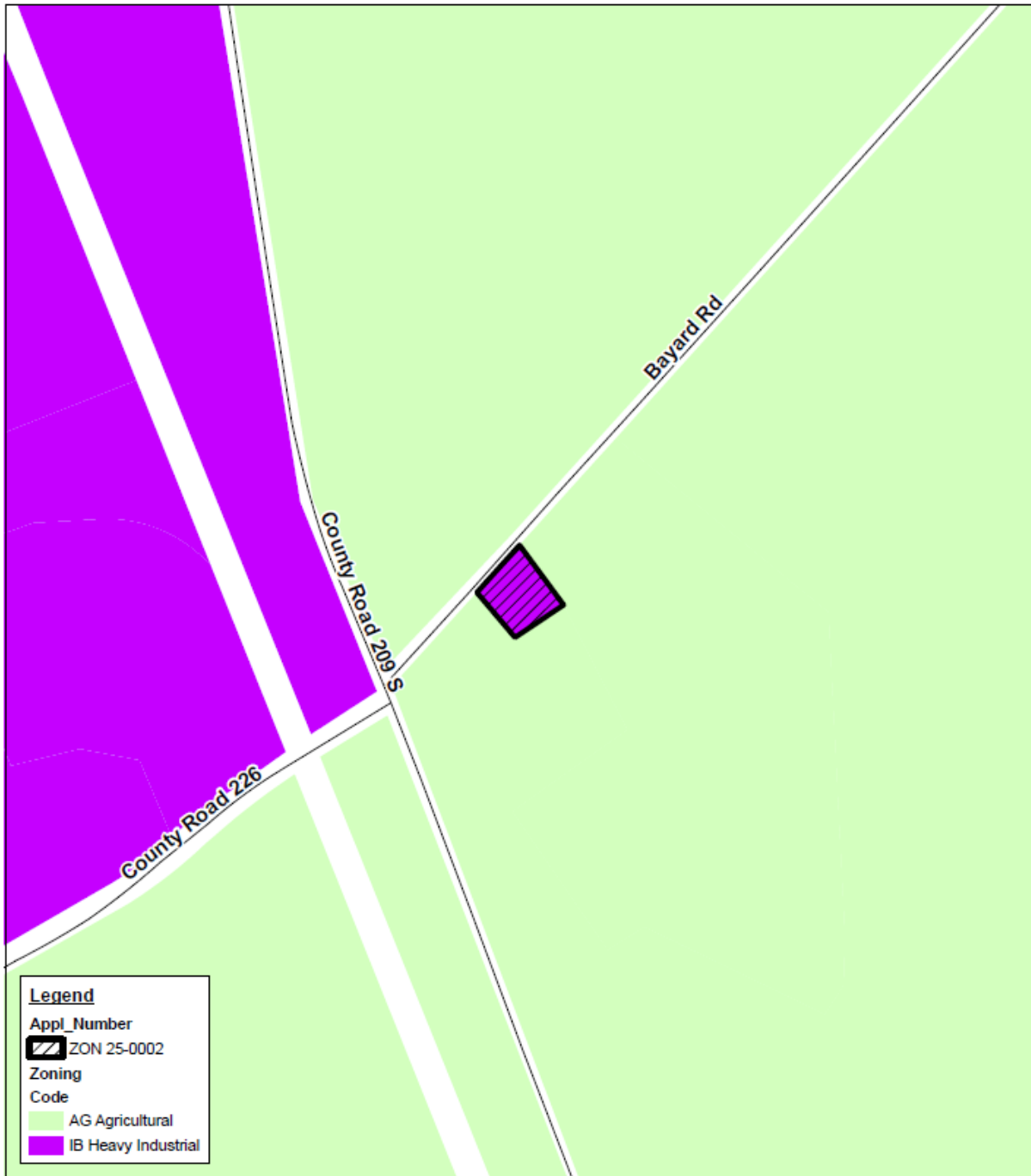
COMMENCE AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF CLARKE'S MILL GRANT ACCORDING TO U.S.L.O. SURVEY OF 1901 (FRIE'S LINE) TOWNSHIP 6 SOUTH, RANGE 26 EAST, WITH THE EASTERLY LINE OF COUNTY ROAD NO. 2-209; THENCE ON LAST SAID LINE RUN THE FOLLOWING 4 COURSES: 1) NORTH 33 DEGREES 52 MINUTES 47 SECONDS WEST 3346.02 FEET; 2) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE NORTHEASTERLY AND HAVING A RADIUS OF 2824.79 FEET, A CHORD DISTANCE OF 626.03 FEET, THE BEARING OF SAID CHORD BEING NORTH 27 DEGREES 31 MINUTES 04 SECONDS WEST; 3) NORTH 21 DEGREES 09 MINUTES 15 SECONDS WEST 1878.38 FEET; 4) NORTHWESTERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 5769.58 FEET, A CHORD DISTANCE OF 155.33 FEET, THE BEARING OF SAID CHORD BEING NORTH 21 DEGREES 55 MINUTES 32 SECONDS WEST; THENCE NORTH 41 DEGREES 46 MINUTES 37 SECONDS EAST 403.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 41 DEGREES 46 MINUTES 37 SECONDS EAST 208.54 FEET; THENCE SOUTH 29 DEGREES 40 MINUTES 35 SECONDS EAST 251.05 FEET; THENCE SOUTH 41 DEGREES 46 MINUTES 44 SECONDS WEST 157.69 FEET; THENCE NORTH 41 DEGREES 16 MINUTES 33 SECONDS WEST 239.77 FEET TO THE POINT OF BEGINNING, BEING 1.00 ACRE, MORE OR LESS, IN AREA.

SCALE: 1" = 50'

FOR J.P. HALL

MAY 26, 1998

Exhibit "A-2"



**Proposed Zoning
Rezoning: ZON 25-0002
from AG to IB**





Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, March 4 5:00 PM

TO: Planning Commission

DATE:

FROM: Jenni Bryla, Zoning Chief

SUBJECT:

A. COMP 24-0020

This application is a FLUM Amendment to change 8.9 acres from Agriculture (AG) to Industrial (IND).

B. ZON 24-0026

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

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

The property is currently vacant and lies at the eastern corner of County Road 209 S and Bayard Rd. The land is adjacent to other parcels, to the east and west, that are also pursuing the same request for re-zoning and Land Use changes.

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Applicant

Applicant: Travis R. King

ATTACHMENTS:

Description	Type	Upload Date	File Name
▢ Staff Report for COMP 24-0020	Cover Memo	3/4/2025	PC_Staff_Report_-_COMP_24-0020_jb-2ada.pdf

▢	Ordinance COMP 24-0020	Ordinance	3/4/2025	ordinance_(draft)_-_COMP_24-0020_King_Ind_-_FINAL_need_new_mapada.pdf
▢	COMP 24-0020 Proposed Land Use Map	Backup Material	3/4/2025	Comp_24-0020_Map_ADA.pdf
▢	Staff Report for ZON 24-0026	Cover Memo	2/27/2025	ZON_24-0026_King-Staff_Reoort_DRAFT_jbada.pdf
▢	ZON 24-0026 Ordinace Final	Ordinance	3/4/2025	ZON_24-0026_Ordinance-_FINAL.ADA.pdf



1 **Staff Report and Recommendations for COMP 24-0020**

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: Robert Travis King	Address: 939 Bayard Road
Agent: Kelly Hartwig (Cypress Management & Design LLC)	Green Cove Springs, FL 32043
Phone: 904-759-9576	
Email: siteopt@bellsouth.net	Address: PO Box 8880
	Fleming Island, FL 32006

7

8 **Property Information**

Parcel ID: 38-06-26-016503-000-00	Address: 939 Bayard Road
	Green Cove Springs, FL 32043
Current Land Use: AG (Agricultural)	Current Zoning: AG (Agricultural)
Proposed Land Use: IND (Industrial)	Acres: 8.96 +/- acres
Commission District: 5, Comm. Burke	Planning District: Springs

9

10 **Introduction:**

11 This is a privately initiated application for a Small-Scale Comprehensive Plan Amendment to the
12 2040 Future Land Use Map (FLUM). The application would change a single parcel approximately
13 8.96 acres in size of land from AG (Agricultural) to IND (Industrial). The property is currently
14 vacant. The subject parcel lies on the south east side of Bayard Rd and east of CR 209

15

16 The parcels to the east and west of the subject property, are the subject of similar requests, that were
17 previously heard by the Planning Commission. The parcel to the east is an agricultural property
18 with an AG Future Land Use and Zoning. Parcels to the north and south, are owned by the St John's
19 River Water Management District with a RP Recreation/Preservation Land Use designation, and
20 therefore have limited ability to develop. The parcels to the northwest of the subject property have
21 a Future Land Use of Industrial and are in a Heavy Industrial (IB) Zoning district. The property is
22 in close proximity to the active CSX railroad line and in close proximity to the proposed First Coast
23 Expressway. As the transportation investments that support a heavy industrial use are in place, or
24 will be within the short term, the expansion of the Industrial district is an appropriate request. The

25 requested change is supported by the Clay County 2040 Comprehensive Plan through objective EDE
26 1.2 which states:

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

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

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

39
40 **Analysis of Surrounding Uses**

41 The proposed Future Land Use amendment would change the acreage of a single parcel of land (8.96 acres)
42 from AG (Agriculture) to IND (Industrial). This change would be in keeping with the evolving character of
43 the surrounding districts as shown in the table below:

	Future Land Use	Zoning District
North	RP/IND Recreation/preservation, Industrial	AG/IB
South	RP Recreation/Preservation	AG (Agriculture)
East	AR (Agriculture/Residential) IND Industrial (Proposed under COMP 24-0018)	AG (Agricultural) IB Industrial (Proposed under ZON 24-0024)
West	AG - IND Industrial (Proposed under COMP 24-0016	AG (Agricultural) IB Industrial (Proposed under ZON 24-0019)

44

45

Figure 1 – Location Map

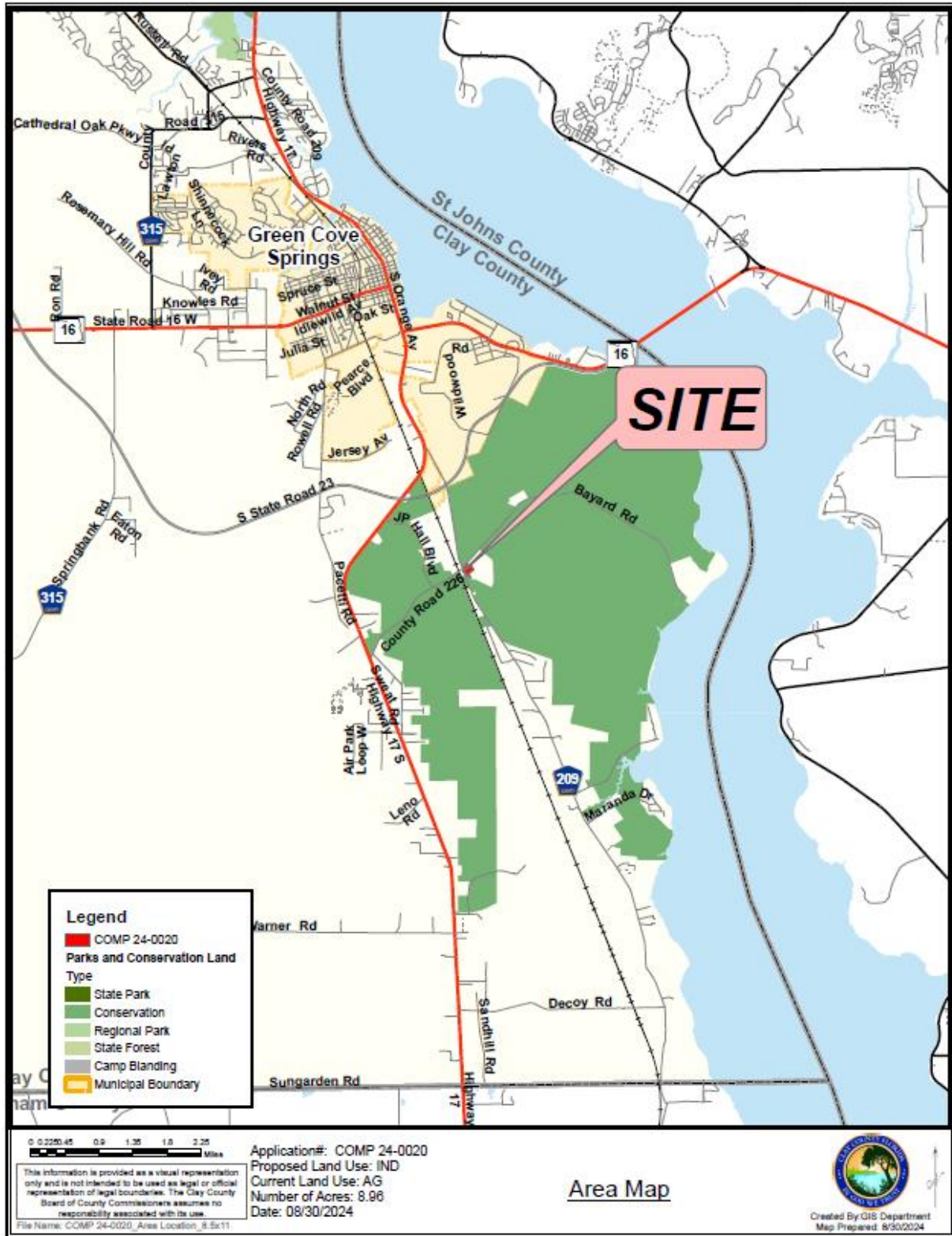


Figure 2 – Parcel Map

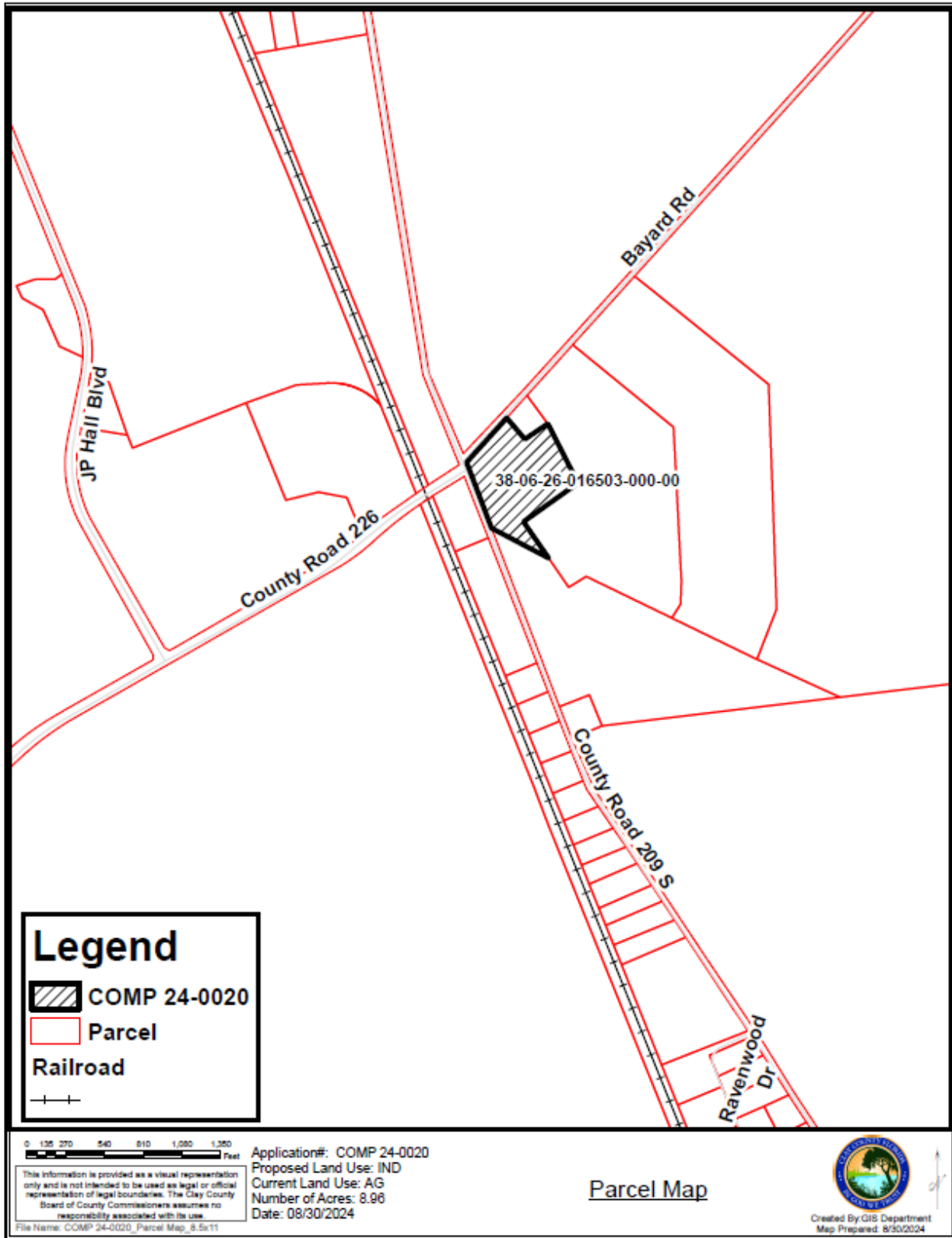


Figure 3 - Aerial Photo

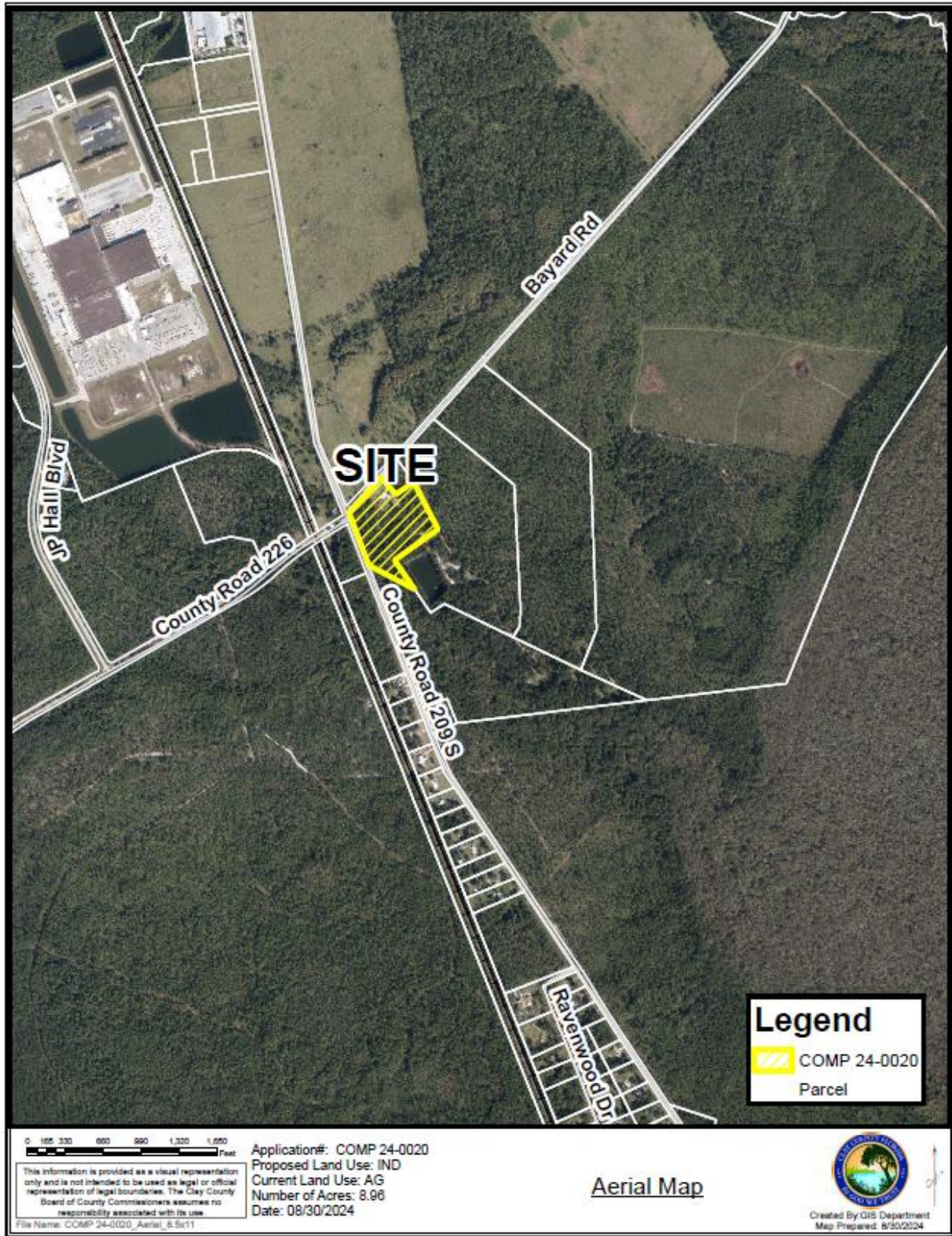
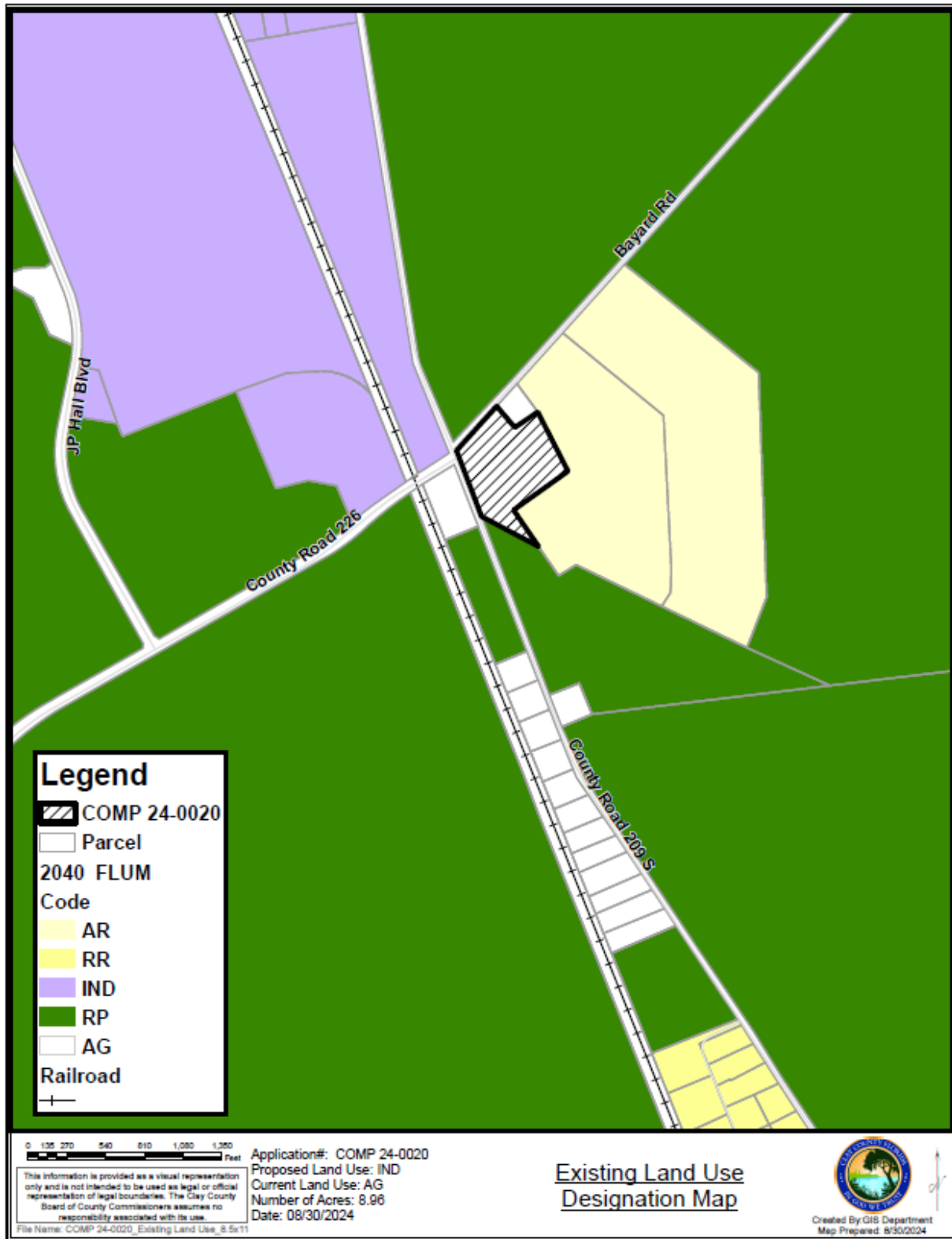
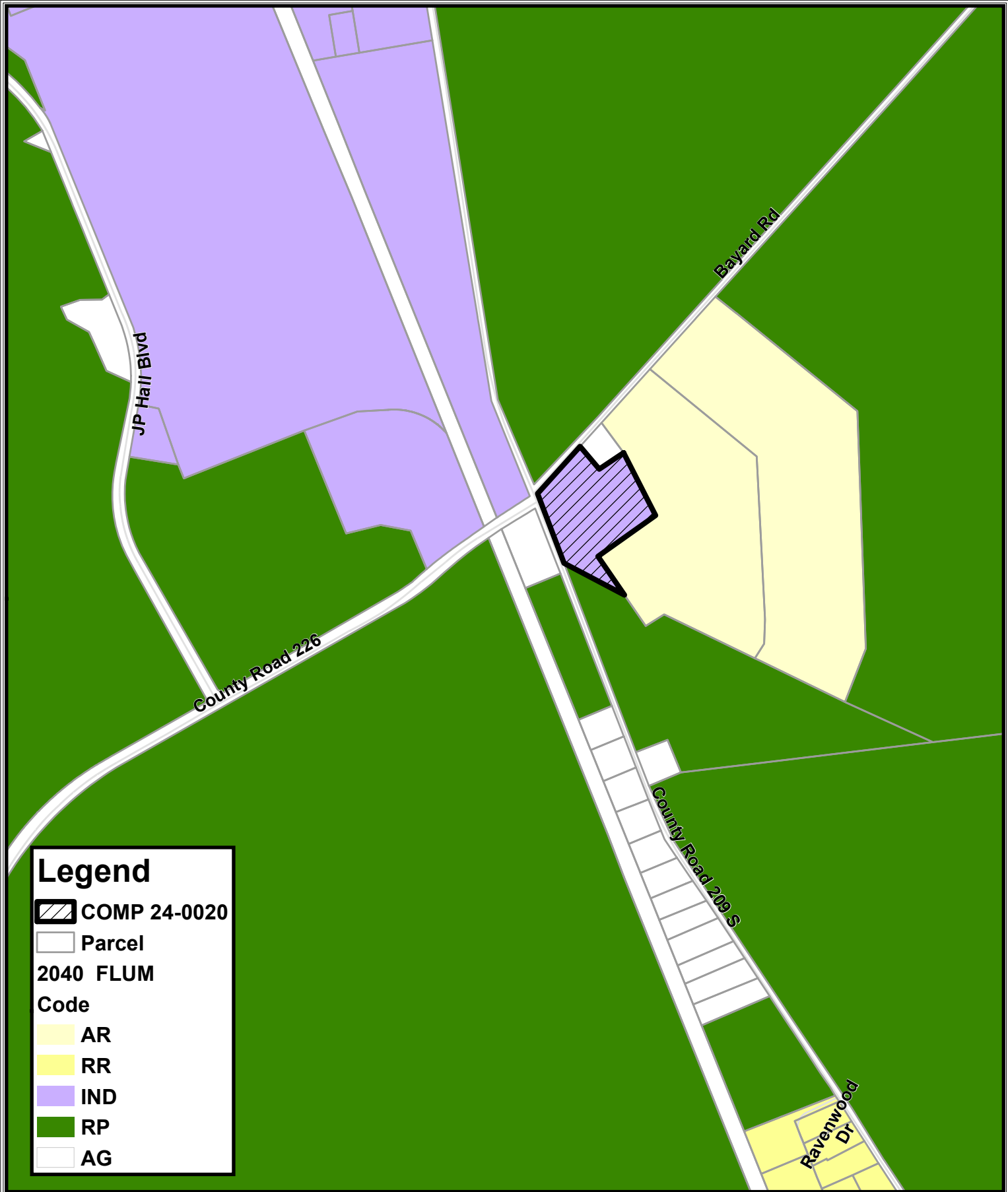


Figure 4 – Existing Future Land Use Designation Map





Legend

COMP 24-0020

Parcel

2040 FLUM Code

AR

RR

IND

RP

AG

0 135 270 540 810 1,080 1,350 Feet

This information is provided as a visual representation only and is not intended to be used as legal or official representation of legal boundaries. The Clay County Board of County Commissioners assumes no responsibility associated with its use.

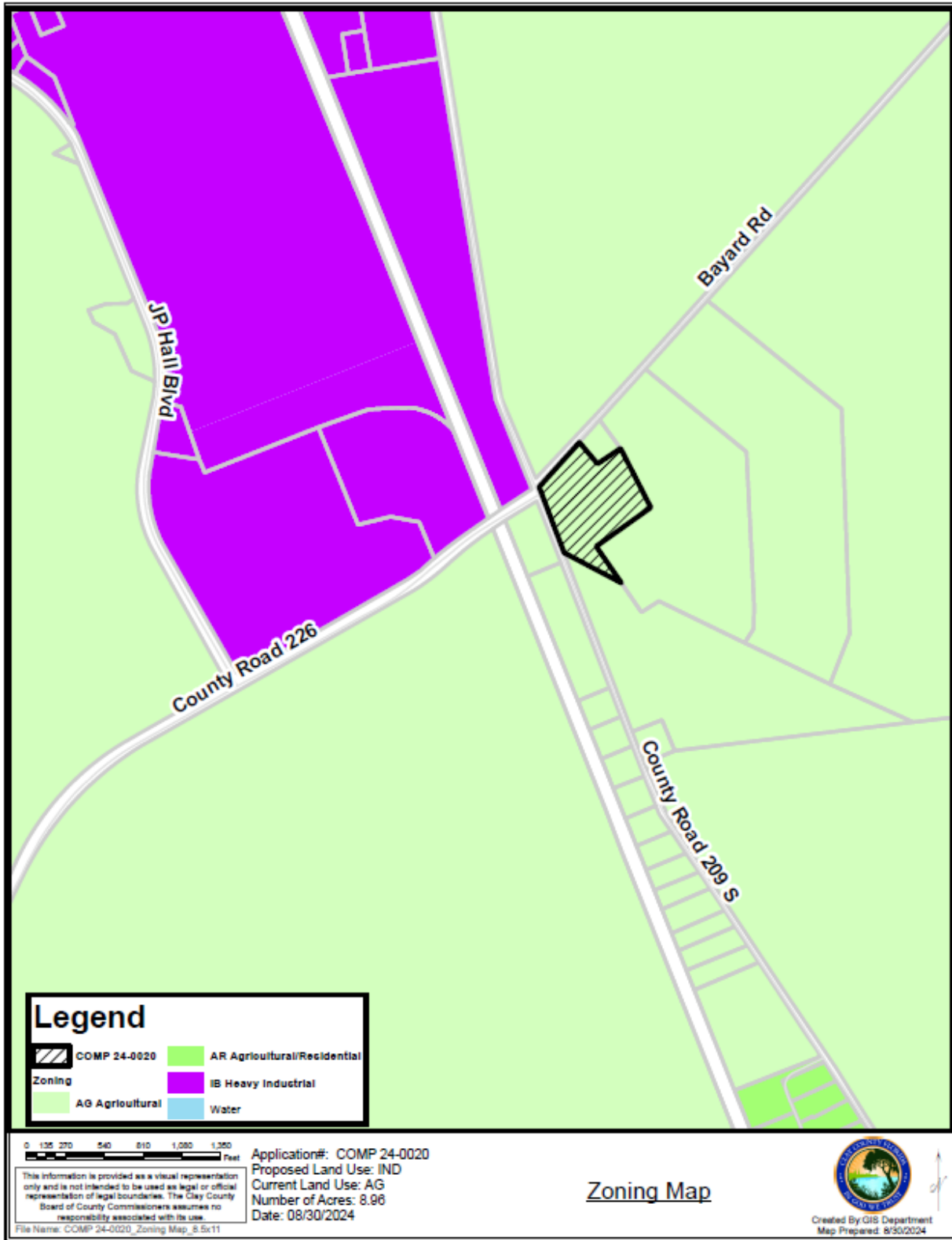
Application#: COMP 24-0020
 Proposed Land Use: IND
 Current Land Use: AG
 Number of Acres: 8.96
 Date: 08/30/2024

Proposed Land Use Designation Map



Created By: GIS Department
 Map Prepared: 10/3/2024

Figure 6 – Zoning Map



58 **Availability of Services**

59 **Traffic Facilities:**

60 The County’s Mobility Fee will apply to development of this property. A truck route for the development
61 should be established prior to building permit approval.

62 **Schools:**

63 There are no residential uses associated with this land use change.
64

65 **Recreation:**

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

69 **Water and Wastewater:**

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

73 **Stormwater/Drainage:**

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

76 **Solid Waste:**

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

78 **Land Suitability:**

79 **Soils:**

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

81 **Flood Plain:**

82 The subject site contains an area of flood zone “A” that runs across the southern 1/3 and eastern side of the
83 site. The owner will either need leave this portion undeveloped or meet the FEMA criteria for development.
84 Development impacts within any floodplain area on the subject parcel will be required to be mitigated. See
85 Figure 8.
86

87 **Topography:**

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

89 **Regionally Significant Habitat:**

90 There has been bear reports in the area, and there is a bald eagle nest to the northeast of the subject parcel.
91 See Figure 10.
92
93

94 Historic Resources:

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

97 Compatibility with Military Installations:

98 The subject property is not located near Camp Blanding.

99

Figure 7 – Soil Map

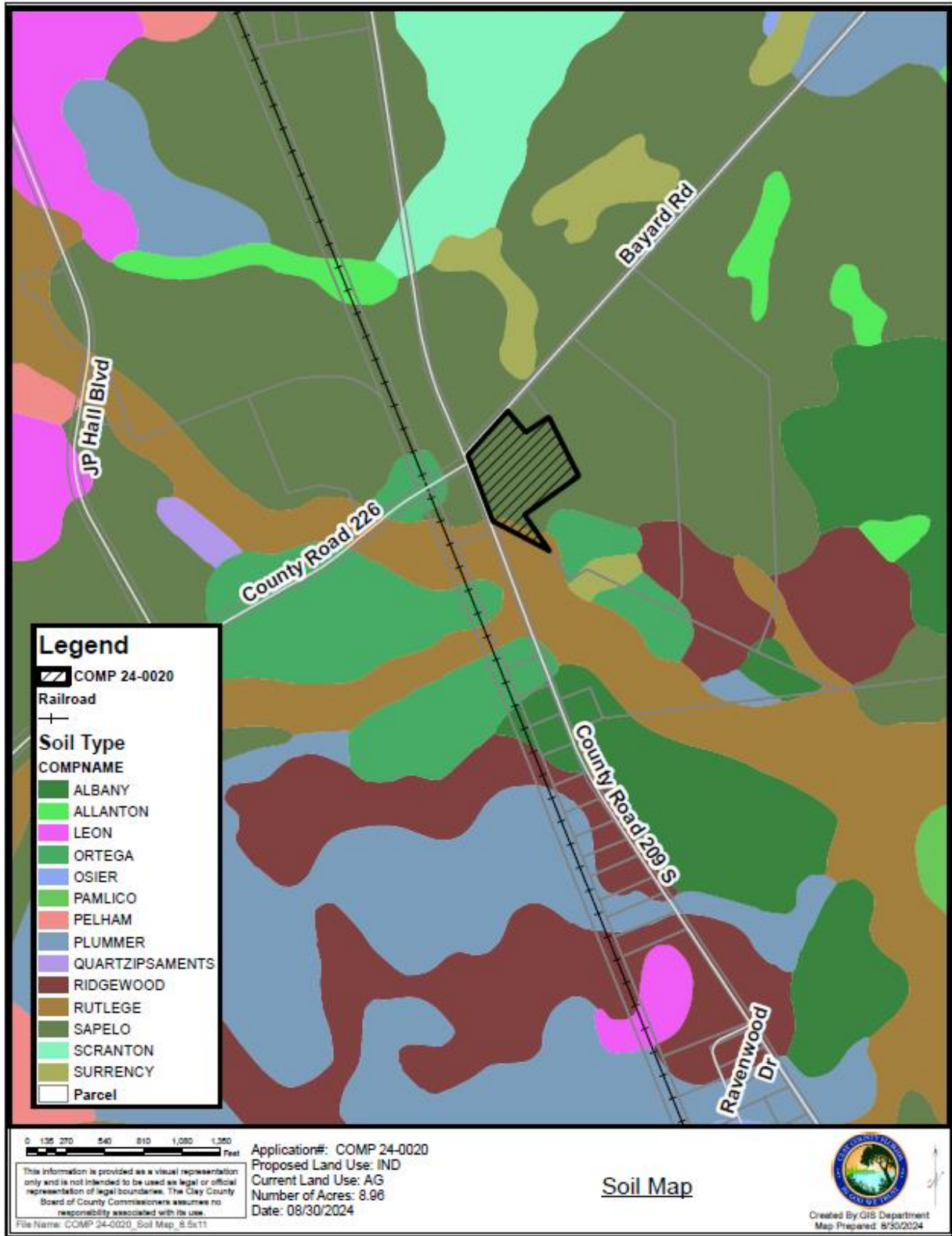


Figure 8 – Flood Zone Map

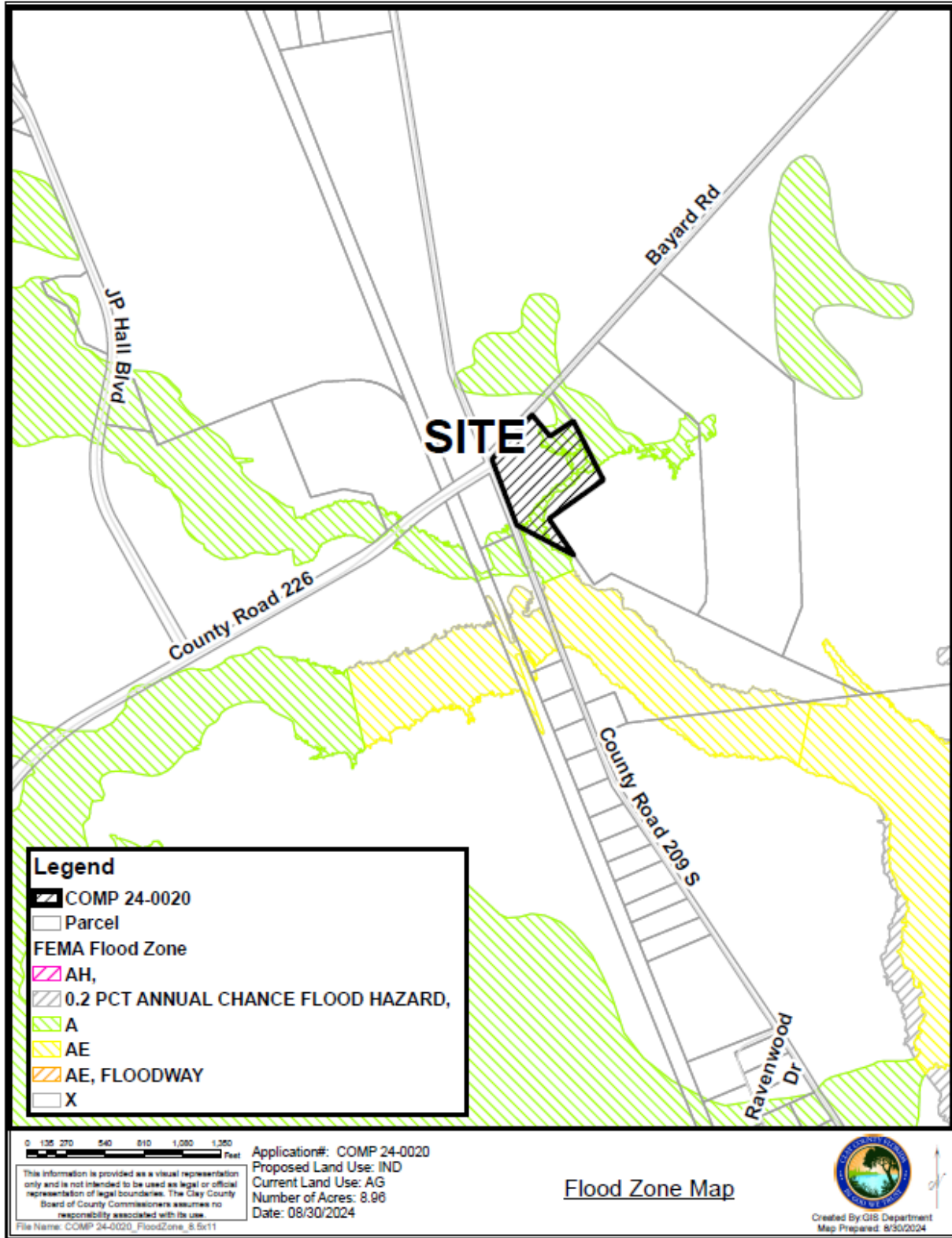


Figure 9 – Topography Map

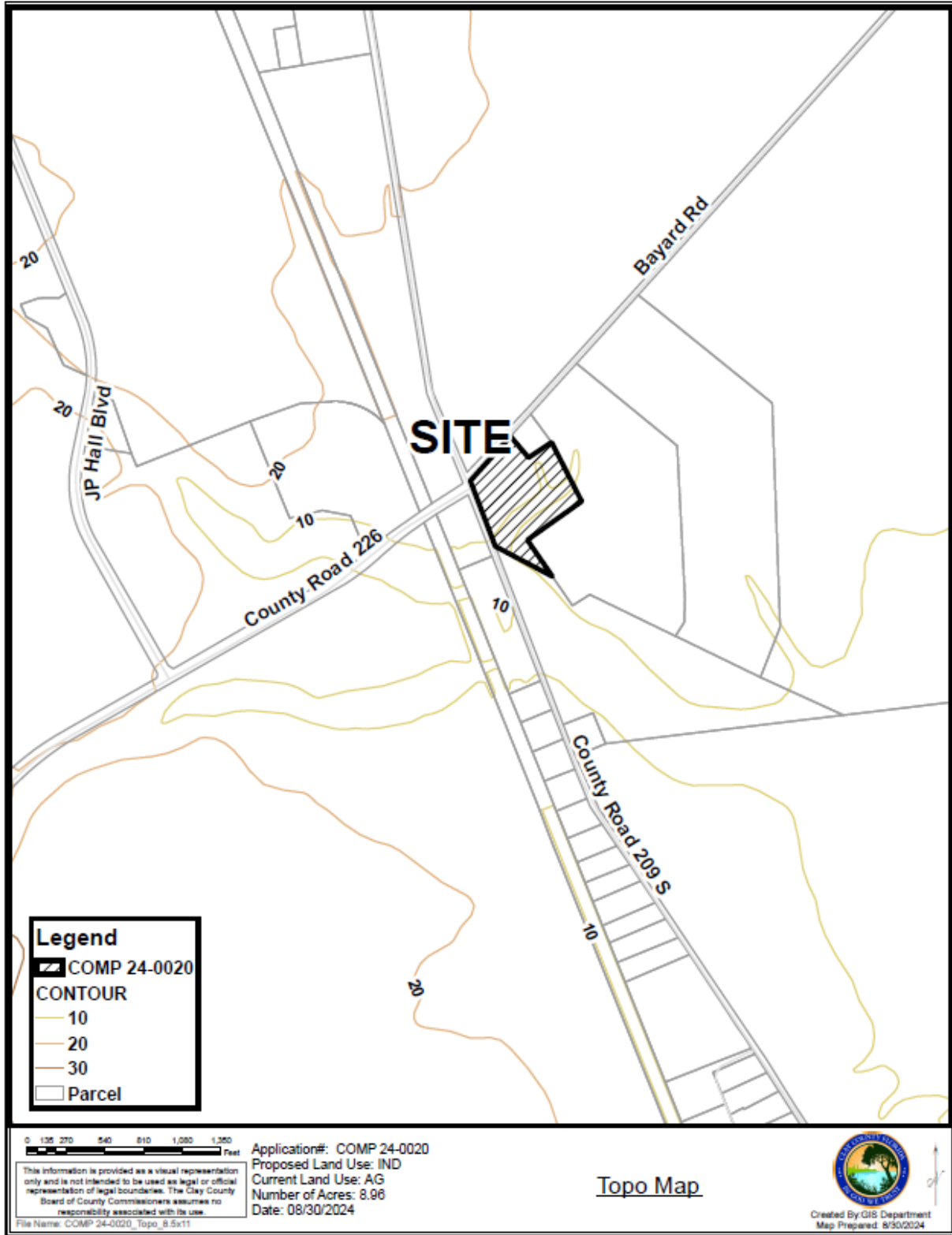


Figure 10 – Habitat Value Map

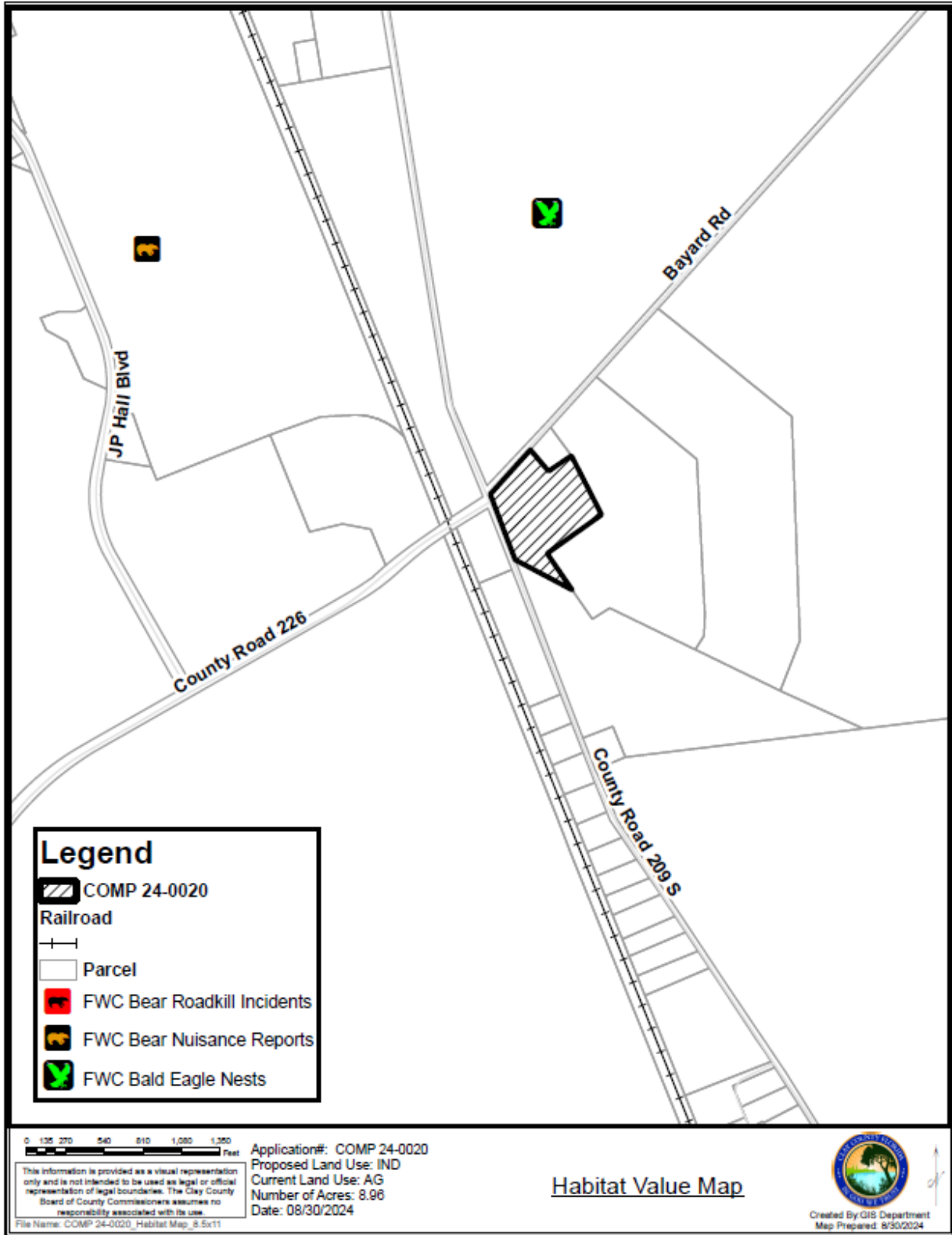
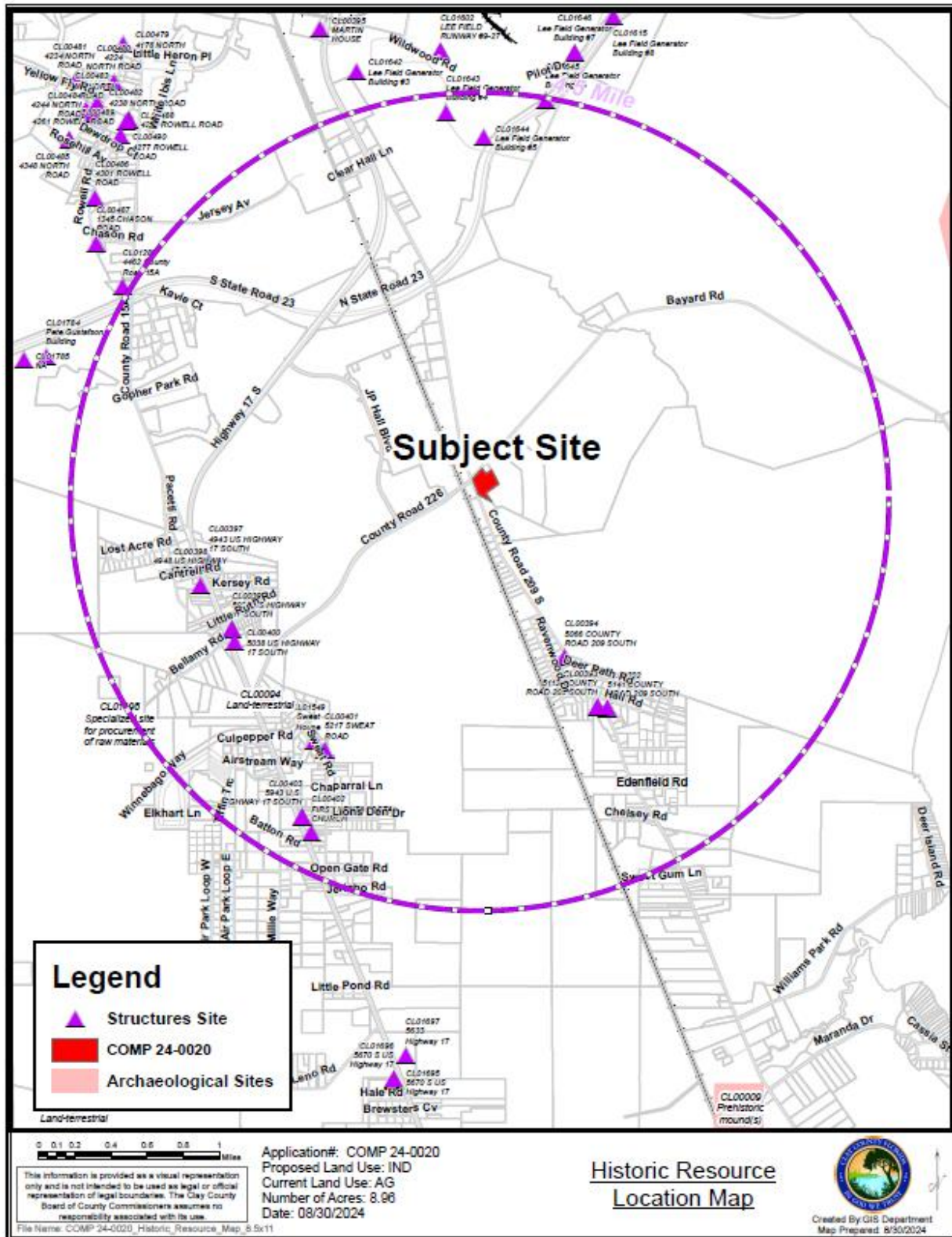


Figure 11 - Historical Resources



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

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

112 The subject property currently has a land use designation of AG (Agricultural) The following
113 Comprehensive Plan policy describes the AG designation and permitted development density.
114

115 **FLU Policy 1.4.1.1 Agricultural (AG) (portion of)**

116
117 Agriculture – “AG”: This classification is intended for those areas of the County designated as
118 appropriate locations for all types of agricultural pursuits including crop production, pasture land for
119 grazing cattle and horse farming, timber production, and cover crops for soil regeneration.
120 Agricultural lands account for an important segment of the Clay County economy and play a vital
121 role in the conservation of the County's natural resources. These uses are generally characterized by
122 being situated in areas removed from urban services, having very sparse densities and exhibiting a
123 rural character. The Plan recognizes the value of these lands for agricultural and silvicultural
124 activities, at both a small and large scale, and, therefore, recognizes their potential suitability for
125 limited residential development at a density of one unit per twenty gross acres.
126

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

130 **Flu Policy 1.4.1.12 (portion of) Industrial (IND) (portion of)**

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

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

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

144 Analysis Regarding Urban Sprawl

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

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

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

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

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

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 continuation of the industrial lands creating a cohesive Industrial*
161 *park concept, which allows for an additional economic generator for the County as an employment hub.*

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

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

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

167 Summary

168 The proposed amendment would change the Future Land Use of 8.96 acres from AG to IND.

169 Recommendation

170 Based on the above criteria outlining consistency with the Clay County Comprehensive Plan, Staff
171 recommends **approval** of the small scale Comprehensive Plan amendment COMP 24-0020.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2040 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2018-31, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF A SINGLE PARCEL OF LAND (TAX PARCEL IDENTIFICATION # 38-06-26-016503-000-00), TOTALING APPROXIMATELY 8.96 ACRES, FROM AGRICULTURE (AG) TO INDUSTRIAL (IND); 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 24-0020, requests an amendment to the Plan; and,

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

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

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

Section 2. The adopted Future Land Use Map of the Plan is hereby amended such that the Future Land Use designation for a single parcel of land (tax parcel identification # 38-06-26-016503-000-00), totaling approximately 8.96 acres, described in Exhibit “A-1”, and depicted in Exhibit “A-2” is hereby changed from AGRICULTURE (AG) to INDUSTRIAL (IND).

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 March, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Betsy Condon, Its Chairman

ATTEST:

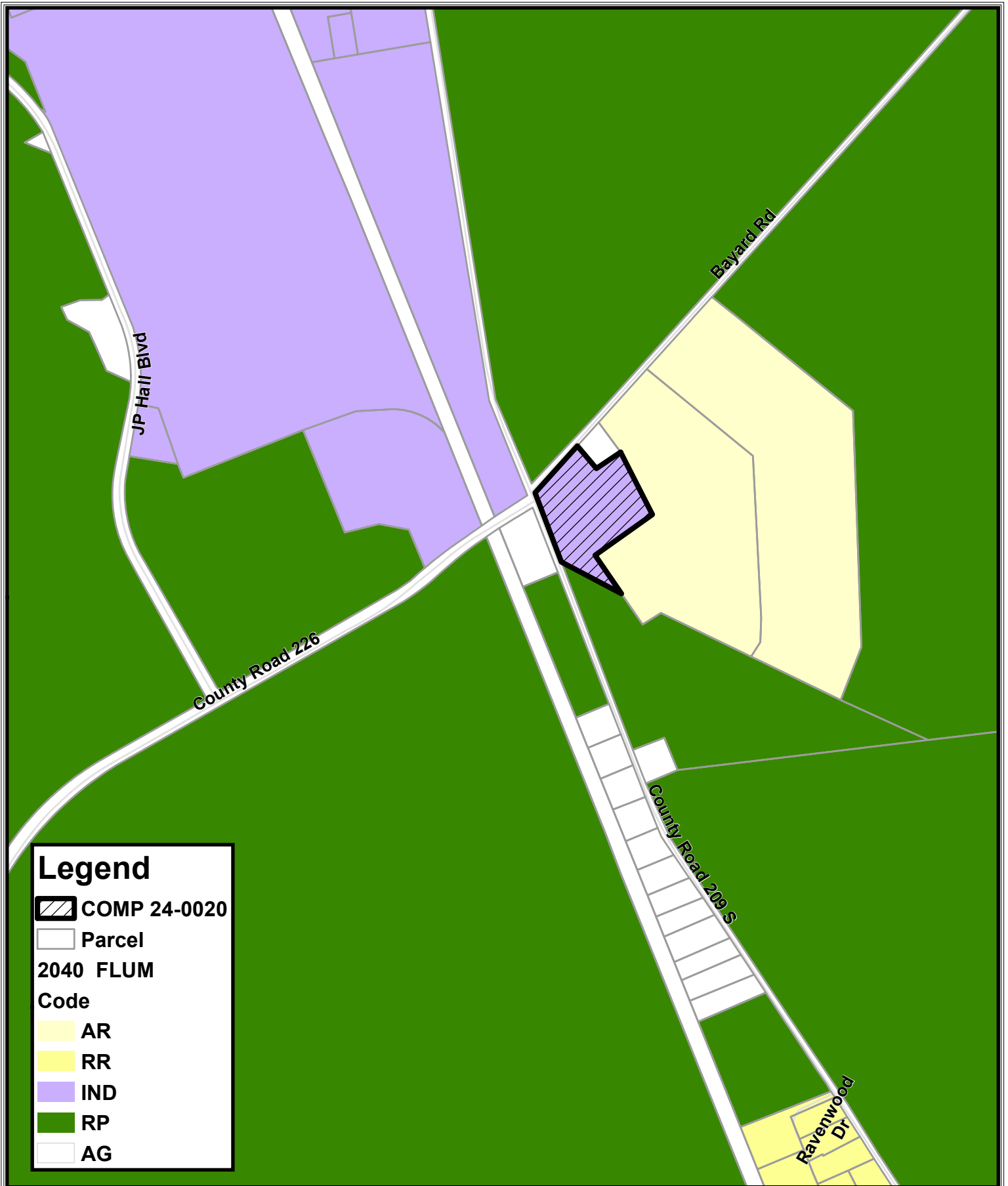
By: _____
Tara S. Green,
Clay County Clerk of Court and Comptroller
Ex Officio Clerk to the Board

Exhibit "A-1"

A parcel of land situated in Section 39 (CLARKE'S 1000 ACRE GRANT), Township 6 South, Range 26 East, Clay County, Florida; said parcel being more particularly described as follows:

Commence at the intersection of the Southerly boundary of CLARKE'S MILL GRANT according to U.S.L.O. survey of 1901 (FRIES LINE), said Township 6 South, Range 26 East, with the Easterly line of County Road No. C-209 (Formerly State Road No. S-209); thence on last said line run the following 5 courses: 1) North 33 degrees 52 minutes 47 seconds West 3346.02 feet; 2) Northwesterly on the arc of a curve concave to the Northeasterly and having a radius of 2824.79 feet, a chord distance of 626.03 feet, the bearing of said chord being North 27 degrees 31 minutes 04 seconds West; 3) North 21 degrees 09 minutes 15 seconds West 1489.74 feet to the Point of Beginning; 4) North 21 degrees 09 minutes 15 seconds West 388.64 feet; 5) Northerly on the arc of a curve concave to the Westerly and having a radius of 5769.58 feet, a chord distance of 155.33 feet, the bearing of said chord being North 21 degrees 55 minutes 32 seconds West; thence North 41 degrees 46 minutes 37 seconds East 403.20 feet; thence South 41 degrees 16 minutes 33 seconds East 239.77 feet; thence North 41 degrees 46 minutes 44 seconds East 157.69 feet; thence South 29 degrees 40 minutes 35 seconds East 28.62 feet; thence South 22 degrees 16 minutes 58 seconds East 366.97 feet; thence South 29 degrees 42 minutes 43 seconds East 141.33 feet; thence South 60 degrees 58 minutes 18 seconds West 388.84 feet; thence South 32 degrees 34 minutes 42 seconds East 299.31 feet; thence North 64 degrees 07 minutes 12 seconds West 420.30 feet to the Point of Beginning.

Subject to Covenants, Restrictions, Easements and Reservations of record, if any; However, this reference does not operate to reimpose same; Subject to Zoning Ordinances that may affect subject property; Subject to Taxes for the year 2022 and Subsequent Years.



Legend

COMP 24-0020

Parcel

2040 FLUM Code

AR

RR

IND

RP

AG

0 135 270 540 810 1,080 1,350 Feet

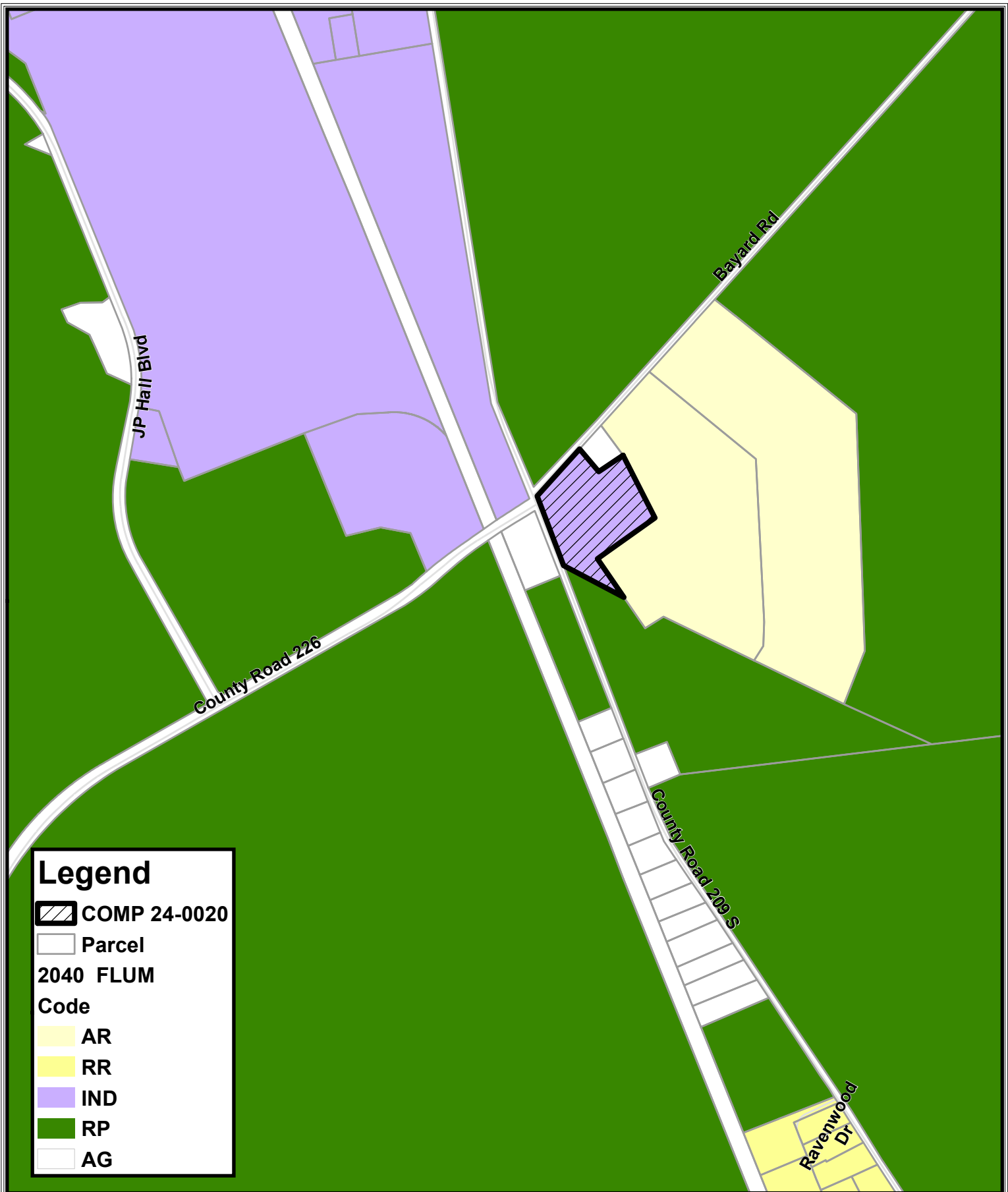
This information is provided as a visual representation only and is not intended to be used as legal or official representation of legal boundaries. The Clay County Board of County Commissioners assumes no responsibility associated with its use.

Application#: COMP 24-0020
 Proposed Land Use: IND
 Current Land Use: AG
 Number of Acres: 8.96
 Date: 08/30/2024








Proposed Land Use Designation Map



Created By: GIS Department
 Map Prepared: 10/3/2024



Legend

-  COMP 24-0020
-  Parcel
- 2040 FLUM**
- Code**
-  AR
-  RR
-  IND
-  RP
-  AG

0 135 270 540 810 1,080 1,350 Feet

This information is provided as a visual representation only and is not intended to be used as legal or official representation of legal boundaries. The Clay County Board of County Commissioners assumes no responsibility associated with its use.

Application#: COMP 24-0020
 Proposed Land Use: IND
 Current Land Use: AG
 Number of Acres: 8.96
 Date: 08/30/2024

Proposed Land Use Designation Map



Created By: GIS Department
 Map Prepared: 10/3/2024



Rezoning Application ZON-24-0026 Staff Report

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

Owner Information

Parcel #: 38-06-26-016503-000-00	Address: 939 Bayard Road
Owner: Robert Travis King	Green Cove Springs, FL 32043
Agent: Kelly Hartwig	PO Box 8880, Fleming Island, FL 32006

Property Information (all parcels)

Current Zoning: AG (Agricultural)	Land Use: AG (Agricultural)
Zoning Proposed: IB (Heavy Industrial)	Total Acres: 8.9+/- acres
Commission District: 5 (Commissioner Burke)	Planning District: Springs

Background

The request is an Applicant driven request to rezone and amend the Zoning Atlas for approximately ±8.9 acres that is currently within the AG (Agricultural) zoning district. The property is currently vacant. The land is adjacent to other parcels, to the east and west, that are also pursuing the same request for re-zoning. The parcels to the northeast and southwest of the subject property, have a Future Land Use of Recreation/Preservation and are owned by the St John’s River Water Management District. These parcels as outlined in the Clay County Comprehensive Plan are generally owned by public or quasi-public entities. The lands are held for use as non-profit public recreation and open space amenities, and include natural resource land management activities and associated uses.

Those owned and maintained by public agencies and open to the public comprise the inventory of regional park facilities in Clay County”, and therefore have limited ability to develop. The property to the east is currently requesting an Industrial land use and a Heavy Industrial zoning category. The property is in close proximity to the active CSX railroad line and the proposed First Coast Expressway. As the transportation investments that support a heavy industrial use are in place, or will be within the short term, the expansion of the Industrial district is an appropriate change. The requested change is supported by the Clay County 2040 Comprehensive Plan through objective EDE 1.2 which states:

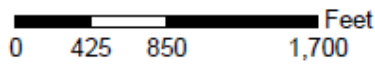
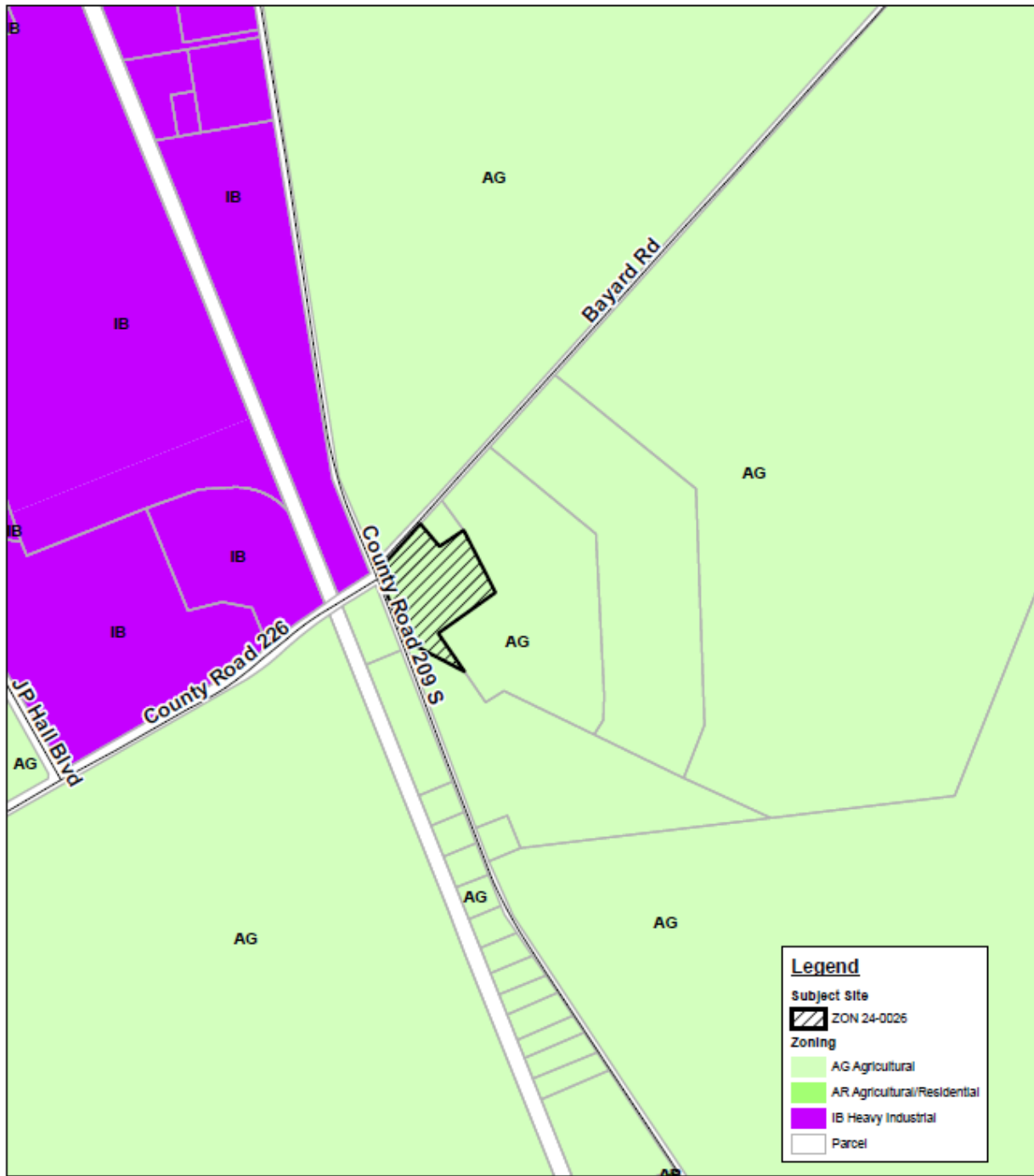
EDE OBJ 1.2 Clay County shall ensure an adequate supply of land uses that support a viable economy and allow for employment generation such as office and industrial uses on the Future Land Use Map (FLUM).

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

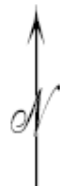
The zoning and future land use of the parcels surrounding the subject parcel is provided in the table below and are primarily residential to the east and industrial to the west. Existing uses in the area are primarily residential and agricultural.

Surrounding Zonings

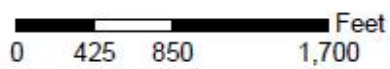
	ZONING	FUTURE LAND USE
North	IB (Heavy Industrial) and AG (Agriculture)	IND and RP
East	IB Heavy Industrial (Proposed under ZON 24-0024)	IND Industrial (Proposed under COMP 24-0018)
West (Across CR 209S)	IB Heavy Industrial (Proposed under ZON 24-0019)	IND Industrial (Proposed under COMP 24-0018)
South	AG (Agriculture)	RP Recreation/Preservation



Existing Zoning
 Proposed Rezoning: ZON 24-0026
 From AG to IB



Aerial of Site



Aerial Map
Proposed Rezoning: ZON 24-0026
From AG to IB



Proposed IB Zoning District

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

- (a) *Area.* All land designated as Zone IB is subject to the regulations of this Section and Sec. 20.3-10. Such areas are established in order to provide adequate areas for activities of a heavy industrial nature. A site plan conforming to the requirements of this chapter shall be submitted to the Planning and Zoning Department for administrative review and approval prior to obtaining a building permit for all uses within this District.
- (b) *Uses Permitted.*
- (1) Any uses permitted in the Light Industrial District (Zone IA) and Industrial Select District (Zone IS).
 - (2) Airports, landing strips, and heliports. The development and operation of these facilities shall conform to all rules and regulations of all governmental agencies having appropriate jurisdiction and to the performance standards of this Article.
 - (3) Accessory uses such as dining and recreation facilities as convenience to occupants thereof and their customers and employees, and business offices accessory to the primary industrial use.
 - (4) Communication Antennas and Communication Towers, including accessory buildings, tower support and peripheral anchors as governed by the provisions of Section 20.3-46 of the Clay County Land Development Code. (Amended 11/26/96 - Ord. 96-58).
 - (5) Any manufacturing, recycling, distribution, warehousing, or associated uses not in conflict with ordinances dealing with incinerators and toxic or hazardous waste.
 - (6) Medical Transport. (Rev. 10/26/10)
- (c) *Conditional Uses.* The following uses are permitted in the IB zoning district, subject to the conditions provided in Section 20.3-5.
- (1) Public assembly.
 - (2) Rock crushing; rock or sand storage yards; and stone cutting.
 - (3) Residential dwelling.
 - (4) Public and/or private sewer facilities.
 - (5) Land Clearing Debris Disposal Facility (Amended 6/98 - Ord. 98-27)
 - (6) Recreational Vehicle and Boat Storage

- 1
2 (d) *Uses Not Permitted.*
- 3 (1) Any use not allowed in (b) or (c) above.
4
- 5 (e) *Lighting Adjacent to Residential Districts.* Artificial lighting used to illuminate the
6 premises and/or advertising copy shall be directed away from adjacent residential or
7 agricultural districts.
8
- 9 (f) *Density Requirements.* The maximum density for development on land with the IB
10 zoning classification shall correspond to a floor area ratio (FAR) of fifty (50) percent.
- 11 (g) *Lot and Building Requirements.* The principal building(s), accessory structures and
12 other uses shall be located so as to comply with the following minimum requirements.
13 *Rev. 04/22/08*
- 14 (1) Side lot setbacks on property which abuts residential or agricultural districts
15 shall be not less than 20 feet. If said lot is a corner lot, the setback shall be the
16 same as for the front lot.
17
- 18 (2) Rear lot line setbacks shall be twenty (20) feet. If the rear yard does not abut a
19 public street, then access shall be not less than twenty (20) feet in width and
20 shall be unobstructed at all times.
21
- 22 (3) Front lot line setbacks shall in no case be less than twenty-five (25) feet.
- 23 (4) All structures shall be set back a minimum of 50 feet landward from the ordinary
24 high-water line or mean high-water line, whichever is applicable; for waters
25 designated as Aquatic Preserves or Outstanding Florida Waters, the setback
26 will be 100 feet. These setbacks shall not apply to structures on lots or parcels
27 located landward of existing bulkheads permitted by the St. Johns River Water
28 Management District or Florida Department of Environmental Protection.
- 29 (5) Where a district is adjacent to a lot line of property of a residential or
30 agricultural classification, no materials, garbage containers, or refuse shall be
31 allowed nearer than fifteen (15) feet to such a residential or agricultural district.
32 Garbage or refuse shall be screened so as not to be readily visible.
33
- 34 (6) Visual Barrier: Proposed non-residential development shall be buffered from
35 adjacent land within the residential land use categories identified in Section
36 20.3-8 with a ten(10) foot landscaped area, minimum six (6) foot high opaque
37 barrier (fence or vegetation) and tree planting thirty (30) feet on center. For all
38 development commenced on or after January 28, 2003, the provisions of this
39 subsection shall not apply. For developments that commence after this date,
40 the provisions of Article VI of the Clay County Land Development Code (the
41 Tree Protection and Landscaping Standards) will apply. (*Rev. 02/08/11*)

42 **Staff Recommendation**

43

44 This is an Applicant requested rezoning application to change approximately 8.9 acres from AG
45 to IB. Given the presence of existing transportation systems that can support heavy industrial in
46 the area, and the adjacent lands to the east and west will remain as preservation lands, the zoning
47 change request appears appropriate.

48

49 This request is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, as
50 outlined above and is compatible with the surrounding zoning, as well as the other direct adjacent
51 properties coordinating the same zoning and future land use; Staff recommends **approval** of
52 application ZON 24-0026.

53

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, PURSUANT TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED PURSUANT TO ORDINANCE 93-16, AS AMENDED, PROVIDING FOR THE REZONING OF A SINGLE PARCEL OF LAND (TAX PARCEL IDENTIFICATION # 38-06-26-016503-000-00, TOTALING APPROXIMATELY 8.96 ACRES, FROM ITS PRESENT ZONING CLASSIFICATION OF AGRICULTURAL (AG) TO HEAVY INDUSTRIAL (IB); PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application ZON-24-0026 seeks to rezone certain real property (tax parcel identification # 38-06-26-016503-000-00) (the Property) described in Exhibit “A-1”, and depicted in Exhibit “A-2”.

Section 2. The Board of County Commissioners approves the rezoning request. The present zoning classification of the Property is hereby changed from Agricultural (AG) to Heavy Industrial (IB).

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 24-0020 becoming effective.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of March, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Betsy Condon, Its Chairman

ATTEST:

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

Exhibit "A-1"

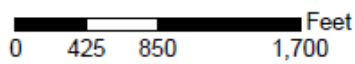
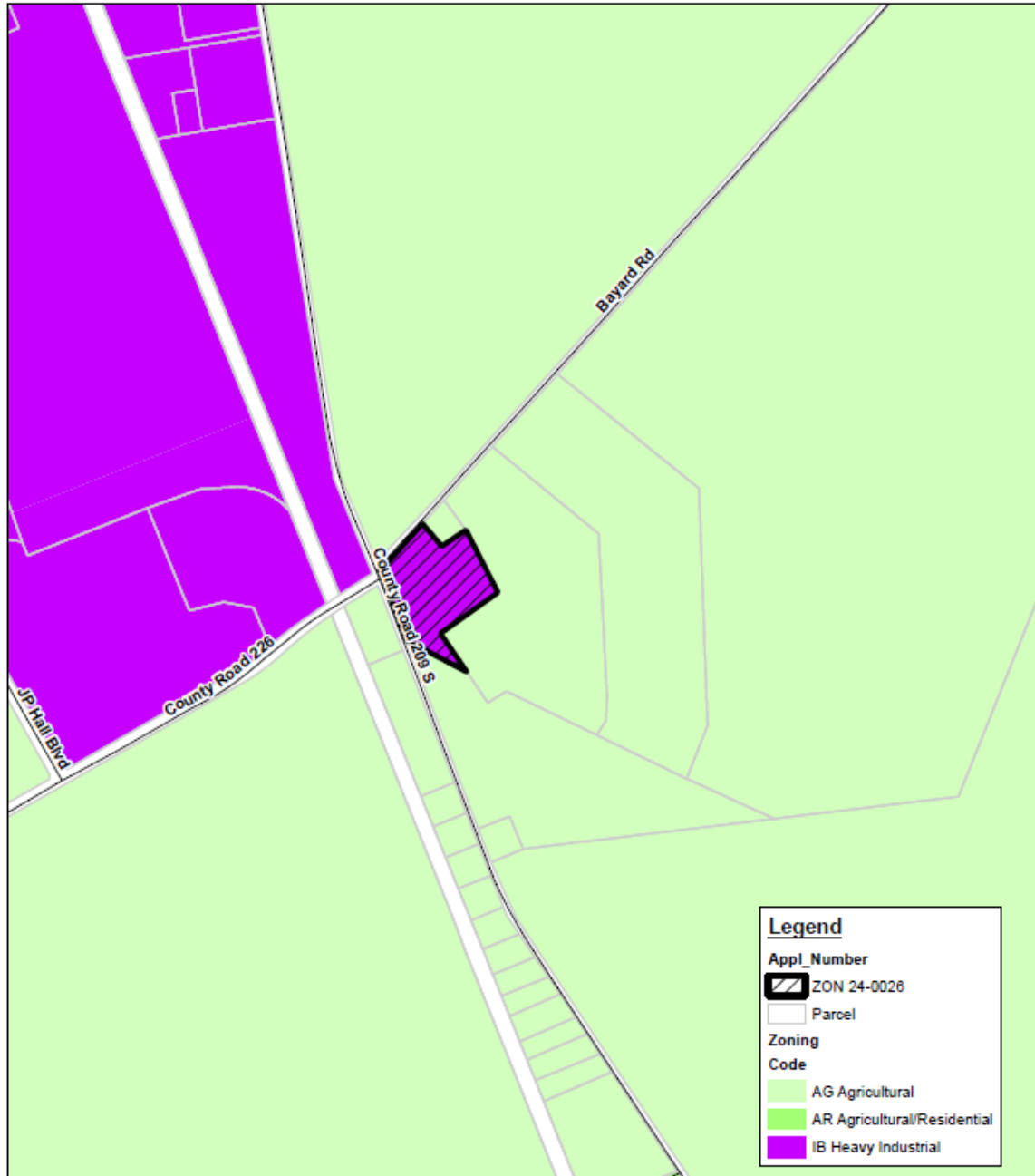
Clay Parcel No. 38-06-26-016503-000-00

A parcel of land situated in Section 39 (CLARKE'S 1000 ACRE GRANT), Township 6 South, Range 26 East, Clay County, Florida; said parcel being more particularly described as follows:

Commence at the intersection of the Southerly boundary of CLARKE'S MILL GRANT according to U.S.L.O. survey of 1901 (FRIES LINE), said Township 6 South, Range 26 East, with the Easterly line of County Road No. C-209 (Formerly State Road No. S-209); thence on last said line run the following 5 courses: 1) North 33 degrees 52 minutes 47 seconds West 3346.02 feet; 2) Northwesterly on the arc of a curve concave to the Northeasterly and having a radius of 2824.79 feet, a chord distance of 626.03 feet, the bearing of said chord being North 27 degrees 31 minutes 04 seconds West; 3) North 21 degrees 09 minutes 15 seconds West 1489.74 feet to the Point of Beginning; 4) North 21 degrees 09 minutes 15 seconds West 388.64 feet; 5) Northerly on the arc of a curve concave to the Westerly and having a radius of 5769.58 feet, a chord distance of 155.33 feet, the bearing of said chord being North 21 degrees 55 minutes 32 seconds West; thence North 41 degrees 46 minutes 37 seconds East 403.20 feet; thence South 41 degrees 16 minutes 33 seconds East 239.77 feet; thence North 41 degrees 46 minutes 44 seconds East 157.69 feet; thence South 29 degrees 40 minutes 35 seconds East 28.62 feet thence South 22 degrees 16 minutes 58 seconds East 366.97 feet; thence South 29 degrees 42 minutes 43 seconds East 141.33 feet; thence South 60 degrees 58 minutes 18 seconds West 388.84 feet; thence South 32 degrees 34 minutes 42 seconds East 299.31 feet; thence North 64 degrees 07 minutes 12 seconds West 420.30 feet to the Point of Beginning.

Subject to Covenants, Restrictions, Easements and Reservations of record, if any; However, this reference does not operate to reimpose same; Subject to Zoning Ordinances that may affect subject property; Subject to Taxes for the year 2022 and Subsequent Years.

Exhibit "A-2"



Proposed Rezoning: ZON 24-0026
From AG to IB





Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, March 4 5:00 PM

TO: Planning Commission

DATE: 1/31/2025

FROM: Beth Carson, Director of
Planning and Zoning

SUBJECT:

This is a Land Development Code change to Article III to allow for Heirs Lot Exemptions within the Branan Field Rural Suburbs and Lake Asbury Rural Community Districts.

Staff requests continuance of this item to April 1, 2025.

AGENDA ITEM TYPE:
