



PLANNING COMMISSION MEETING

June 3, 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 May 6, 2025.

Public Comment

Public Hearings

1. Public Hearing to consider COMP 25-0004 (District 5, Comm Burke) (D. Selig)
The staff is requesting a continuance to the July 1, 2025 Planning Commission Meeting.
2. Public Hearing to consider ZON 25-0015 (waste control) (D. Selig)
This application is a Staff initiated amendment to the Land Development Code amending Article II and Article VIII related to waste control regulations.
3. First Public Hearing to consider ZON 25-0008 (J. Bryla)
This application is a Staff initiated amendment to the Land Development Code amending regulations in Article III Sec. 3-35(b),(g),(2),(7),(10)(v) for non-motorized boat ramps in PO-2 zoning districts
4. Public Hearing to Consider ZON 25-0009 (District 5, Comm Burke) (J. Bryla)
An application to change the current zoning of 5.34 acres from Lake Asbury Rural Community (LA-RC) to Public Ownership (PO-2)
5. Public Hearing to consider COMP 25-0009 and ZON 25-0010 (District 5, Comm Burke) (J. Bryla)
 - A. COMP 25-0009
This application is a FLUM Amendment to change 10.01 acres from Rural Residential (RR) to Urban Core 10 (UC-10).
 - B. ZON 25-0010
This application is a Rezoning to change from Agricultural Residential (AR) to Multi-family Residential District (RD).
6. Public Hearing to consider COMP 25-0010 and ZON 25-0007 (District 5, Comm Burke) (Jenni Bryla)
 - A. COMP 25-0010
This application is a FLUM Amendment to change 13.86+/-acres from Agricultural (AG) to Rural Residential (RR)
 - B. ZON 25-0007

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

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, June 3 5:00 PM

TO: DATE:

FROM:

SUBJECT:

AGENDA
ITEM
TYPE:

ATTACHMENTS:

Description	Type	Upload Date	File Name
Planning Commission Meeting Minutes May 6, 2025.	Backup Material	5/29/2025	Planning_Commission_Meeting_Minutes_and_Attachments_May_6__2025- 1ada.pdf



PLANNING COMMISSION MEETING MINUTES

May 6, 2025

5:00 PM

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

Pledge of Allegiance

Commissioner Bo Norton led the Pledge of Allegiance.

Call to Order

Present:

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

Absent:

Camp Blanding Representative Sam Tozer

Staff Present:

County Attorney Courtney Grimm
Assistant County Attorney Jamie Hovda
Assistant County Manager Chereese Stewart
Director of Planning and Zoning Beth Carson
Zoning Chief Jenni Bryla
Economic and Development Services Coordinator Kellie Henry

Chairman Pete Davis called the meeting to order at 5:03 pm.

Chairman Pete Davis recognized county staff members, Commissioner Jim Renninger, thanked Deputy Barnwell and Deputy Ash for providing security, and introduced the Board members.

1. Approval of Minutes

Planning Commission Meeting Minutes April 1, 2025.

Commissioner Mary Bridgman made a motion for approval of the April 1, 2025, Planning Commission Meeting minutes, seconded by Commissioner Joe Anzalone, which carried 8-0.

Public Comment

Chairman Pete Davis opened the floor for public comment at 5:07 pm.

Hearing no comments, Chairman Pete Davis closed public comment at 5:07 pm.

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

Public Hearings

1. Public Hearing to consider PUD 25-0002 (District 5, Comm Burke) (J. Bryla)

This application is a request to rezone an approximately ½ acre of land from Business & Professional Office District (BA-2) to Planned Commercial Development District (PCD).

Item One (1) can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-arcive/planning commission/May 6, 2025, beginning at 7:47 and ending at 1:20:59](http://www.claycountygov.com/government/clay-county-tv-and-video-arcive/planning-commission/May-6,-2025,-beginning-at-7:47-and-ending-at-1:20:59). 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 PUD-25-0002, as identified above. See Attachment A.

There were comments for clarification regarding the site plan submitted.

Josh Cockrell, StellaRea Group/Agent for the Applicant, addressed the Commission to provide more details and information for the requested change and provided a handout for reference. See Attachment B.

There were questions and discussions regarding regulations applicable to required number of parking spaces, as well as documents submitted by the agent illustrating development that current zoning will allow

Chairman Pete Davis opened the floor for the public hearing at 5:12 pm.

Dean Claxton, 1503 Fraser Road, Green Cove Springs, Florida, addressed the Commission in opposition to the requested change.

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

Chelsi Baker-Shaw, 1529 Fraser Road, Green Cove Springs, Florida, addressed the Commission in opposition to the requested change.

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

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

Stan Hunt, Peters Creek Road, Owner and Applicant, addressed the Commission to provide his intent for the property.

Alex Harden, Attorney, on behalf of the Ryan family, addressed the Commission to provide details for their opposition to the requested change. Mr. Harden submitted a document, for reference during the discussion. See Attachment C.

The Commission and Mr. Harden had discussions to clarify the rendering submitted.

Hearing no other comments, Chairman Pete Davis closed the public hearing at 5:52 pm.

Mr. Cockrell addressed the Commission to comment on concerns that were raised during the public hearing.

Following more comments, questions, and discussions to clarify the requested change regarding square footage, buffer, access, design, sight line to adjacent homes, PCD vs. BA2 uses, design for two buildings vs. one, requirements, and road improvements/access, Commissioner Michael Bourré made a motion for approval with the building having a gross square footage of 4,000 square feet, seconded by Commissioner Bill Garrison. The Commission had more comments regarding the request; the motion carried 6-1, with Commissioner Joe Anzalone in opposition.

2. Public Hearing to consider COMP 25-0006 and ZON 25-0005 (District 4, Comm. Condon) (J. Bryla)

A. COMP 25-0006

This application is a FLUM Amendment to change 16.34 acres from Rural Residential (RR) to Urban Core 10 (UC-10).

B. ZON 25-0005

This application is a Rezoning to change from Agricultural/Residential (AR) to Multi-Family Residential District (RD-2).

Item Two (2) can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-arcive/planning-commission/May 6, 2025, beginning at 1:21:05 and ending at 1:34:38](http://www.claycountygov.com/government/clay-county-tv-and-video-arcive/planning-commission/May-6,-2025,-beginning-at-1:21:05-and-ending-at-1:34:38). Below is a summary of the discussion and the vote for this agenda item.

Frank Miller, Agent for the Applicant, 1 Independent Drive, Jacksonville, Florida, addressed the Commission to request a continuance for COMP-25-0006 and ZON-25-0005 until the June 3, 2025, Planning Commission meeting.

Chairman Pete Davis opened the floor for the public hearing at 6:25 pm.

Ben Reichenbach, 3771 Main Street, Middleburg, Florida, addressed the Commission to express his concerns with the requested change regarding drainage issues.

Joe Shaffar, 4062 CR218, Middleburg, Florida, addressed the Commission to express his concerns with the requested change regarding traffic and safety issues.

Hearing no other comments, Chairman Pete Davis closed the public hearing at 6:35 pm.

Commissioner Ralph Puckhaber made a motion for approval of the requested continuance until June 3, 2025, or as soon thereafter as possible, for COMP-25-0006, seconded by Commissioner Bo Norton, which carried 7-0.

Commissioner Ralph Puckhaber made a motion for approval of the requested continuance until June 3, 2025, or as soon thereafter as possible, for ZON-25-0005, seconded by Commissioner Bo Norton, which carried 7-0.

3. Public Hearing to consider ZON 24-0033 (District 3, Comm. Renninger) (J. Bryla)
This application is a Rezoning to change 5.73 acres from Agriculture Residential (AR) to Multi-Family Residential (RD-4).

Item Three (3) can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-arcive/planning commission/May 6, 2025](http://www.claycountygov.com/government/clay-county-tv-and-video-arcive/planning%20commission/May%206,%202025), beginning at 1:34:43 and ending at 1:50:49. 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-24-0033, as identified above. See Attachment D.

There were questions and discussions regarding the access/entrance to the property,

Mike Herzberg, Agent for the Applicant, addressed the Commission to provide more details and information regarding the requested change and intended use and to answer any questions.

More questions and discussions were had regarding road improvements, requirements, and private vs. public roads.

Chairman Pete Davis opened the floor for the public hearing at 6:44 pm.

Hearing no comments, Chairman Pete Davis closed the public hearing at 6:44 pm.

Following brief comments regarding the surrounding area uses, access, and clarification of ownership of the adjacent parcel, Commissioner Ralph Puckhaber made a motion for approval, seconded by Commissioner Joe Anzalone, which carried 7-0.

4. Public Hearing to consider ZON 25-0012 (District 1, Comm. Sgromolo) (J.Bryla)
This application is a Rezoning to change two parcels from Commercial and Professional Office District (BA-2) and Planned Commercial District (PCD) to Neighborhood Business District (BA).

Item Four (4) can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-arcive/planning commission/May 6, 2025](http://www.claycountygov.com/government/clay-county-tv-and-video-arcive/planning%20commission/May%206,%202025), beginning at 1:51:00 and ending at 2:04:43. 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-25-0012, as identified above. See Attachment E.

Frank Miller, Agent for the Applicant, 1 Independent Drive, Jacksonville, Florida, addressed the Commission to provide more details and information for the requested change.

Chairman Pete Davis opened the floor for the public hearing at 7:04 pm.

Hearing no comments, Chairman Pete Davis closed the public hearing at 7:04 pm.

Commissioner Ralph Puckhaber made a motion for approval, seconded by Commissioner Joe Anzalone. After comments from the Commission regarding changes over the years in the area, the motion carried 8-0.

Presentations

There were no presentations.

Old Business/New Business

There was no Old/New Business.

Public Comment

Chairman Pete Davis opened the floor for public comment at 7:07 pm.

Hearing no comments, Chairman Pete Davis closed public comment at 7:07 pm.

There were questions and discussions to clarify the attendance of the Camp Blanding Representative.

Courtney Grimm, County Attorney, briefed the Commission on the status of the Fleming Island Preserve PUD application - Old Hard Road that went before the Special Magistrate.

There were questions and discussions regarding the timeline and process/procedure.

Adjournment

Chairman Pete Davis mentioned the next meeting would be held on June 3, 2025, and hearing no further business, adjourned the meeting at 7:17 pm.

Attest:

Committee Chairman

Recording Deputy Clerk

Attachment
“A”
PUD-25-0002

Rezoning Application:

PUD 25 -0002

Planning Commission

May 6, 2025

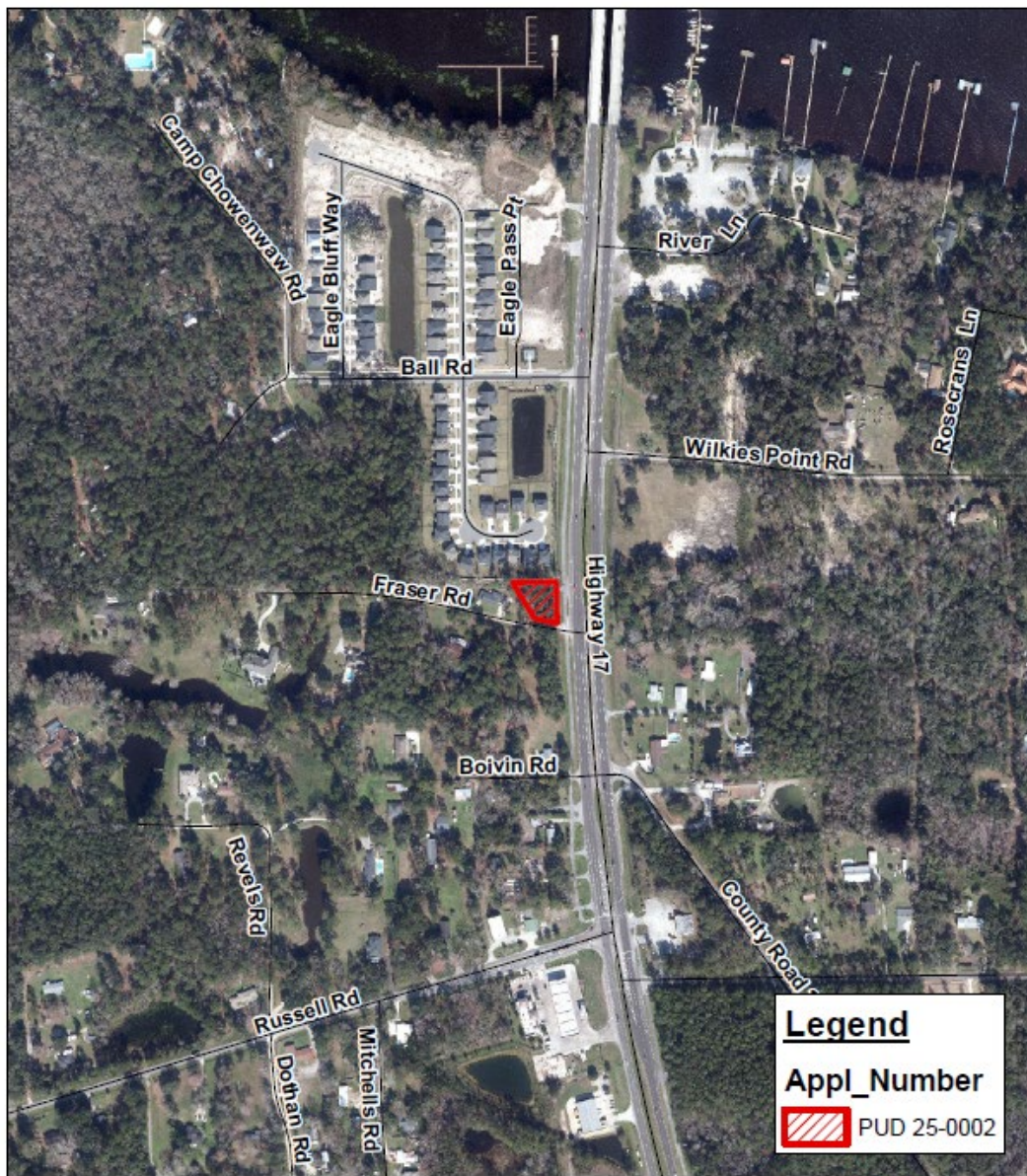
Board of County Commissioners

May 27, 2025



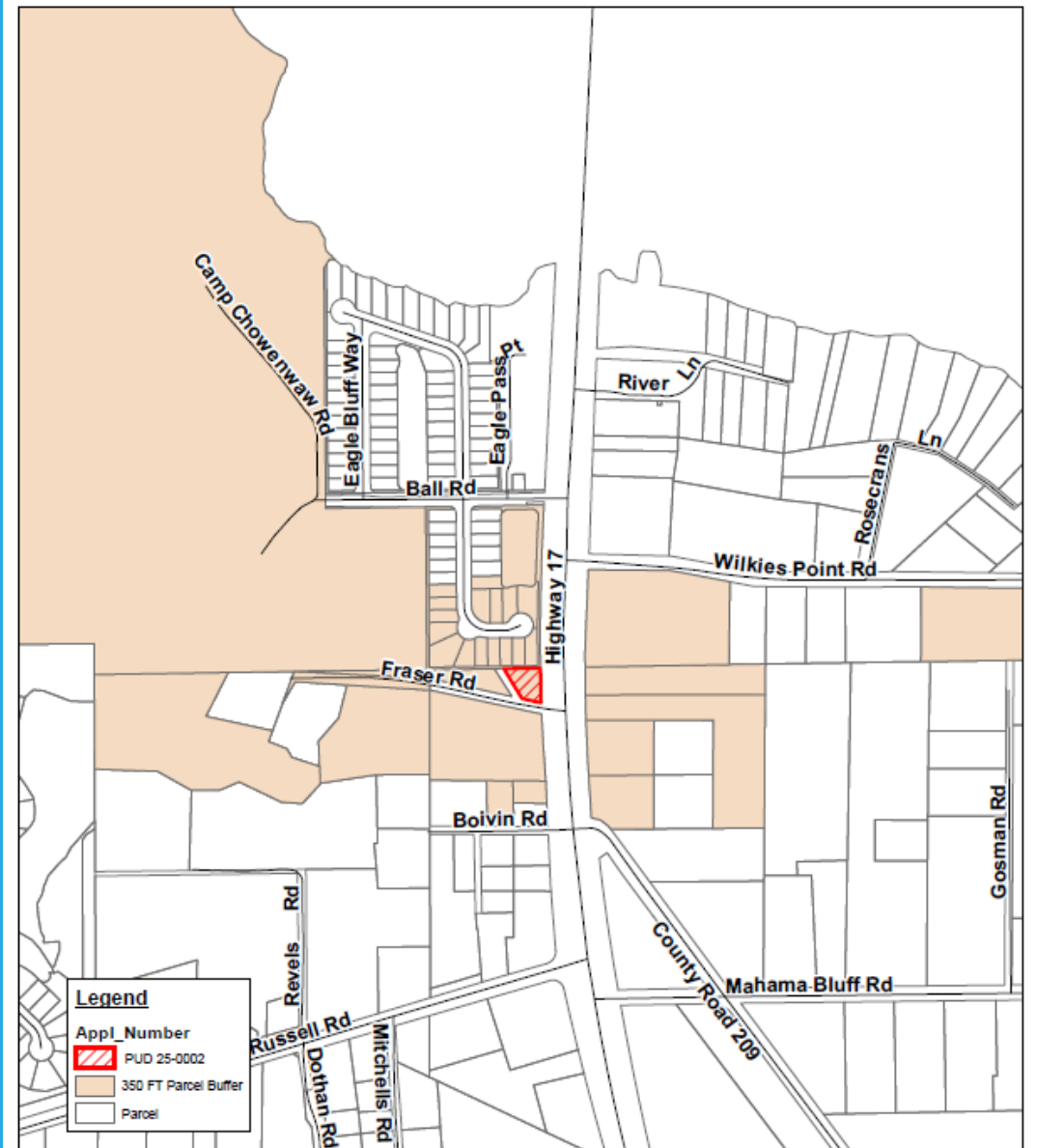
Application Information

Applicant:	Stanley Hunt
Agent:	Josh Cockrell
Location:	The subject parcel is located on the west of U.S. Highway 17 and approximately 100 feet of frontage on Fraser Road.
Future Land Use:	Commercial
Commission District:	5, Commissioner Burke
Parcel:	0.5 acre
Request:	PUD 25-0002 would change the zoning from BA-2 (Business & Professional Office District) to PCD (Planned Commercial Development) allowing for a CPA office.



0 212.5 425 850 Feet

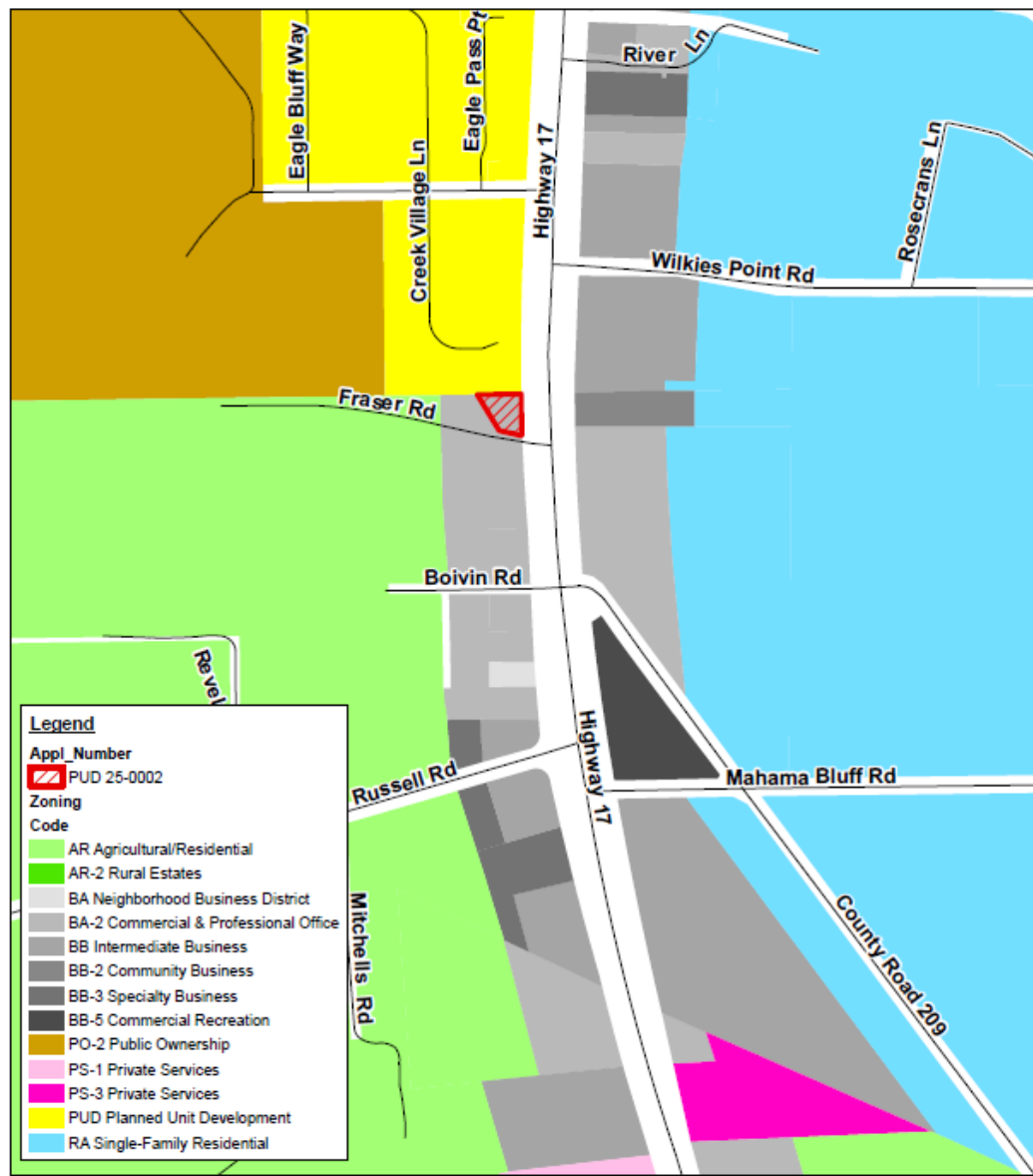
Rezoning: PUD 25-0002
from BA-2 to PCD



0 250 500 1,000 Feet

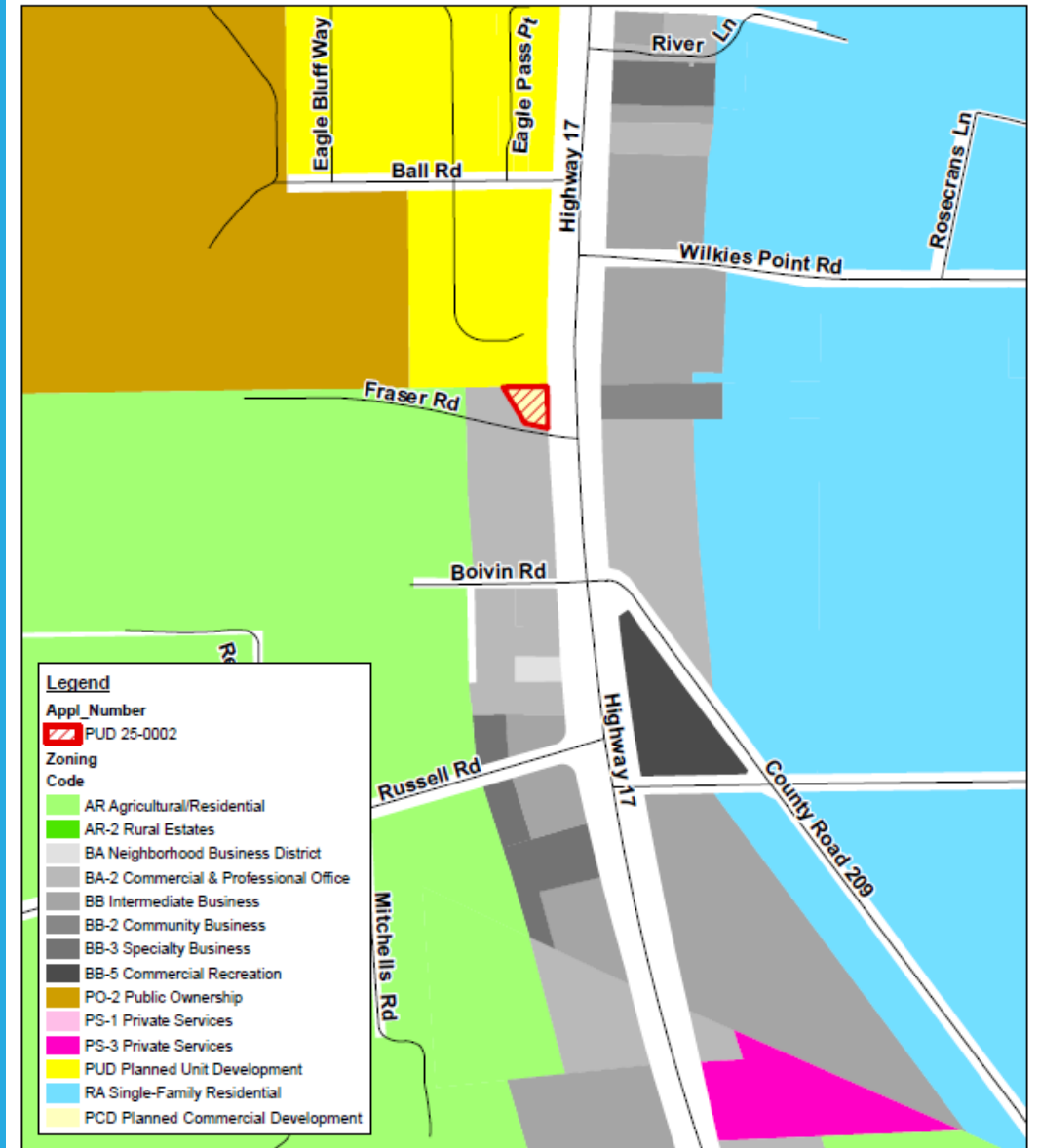
350' Parcel Notifications Map
PUD 25-0002





0 212.5 425 850 Feet

Existing Zoning
Rezoning: PUD 25-0002
from BA-2 to PCD

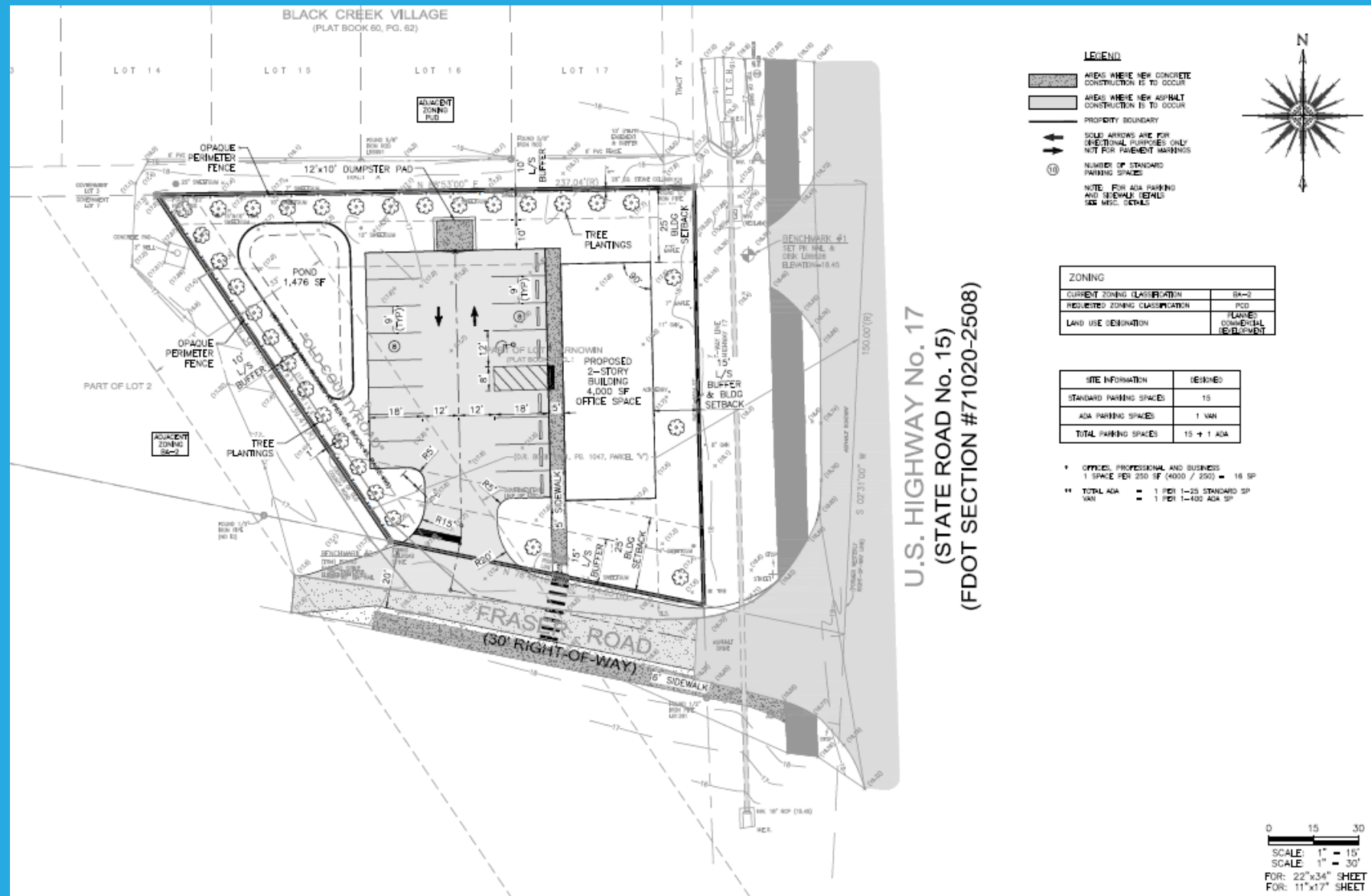


0 205 410 820 Feet

Proposed Zoning
Rezoning: PUD 25-0002
from BA-2 to PCD



This project has been heard before, however not with this request. The previous request was a rezoning request from BA-2 to BA. This request was denied by the Planning Commission and the BOCC. The current request provides additional buffers and aesthetic enhancements for the existing neighborhood to the west.



Enhancements to the Site Plan



Proposed Development



Black Creek Development to the North

Zoning Criteria

Staff analyzed the eight criteria outlined in the Staff Report and found that the proposed use was consistent with the Comprehensive Plan and compliant with the Land Development Code.

The Applicant presented the project at the Springs Citizen Advisory Committee and received a recommendation of approval 5-0.

Project Description

Applicant is considering a Accounting Office building for a business that has been present in the County for more than a decade on a property that has a future land use of Commercial with a Commercial zoning.

Recommendations

The request was heard by the Springs CAC and they provided a recommendation of approval 5-0

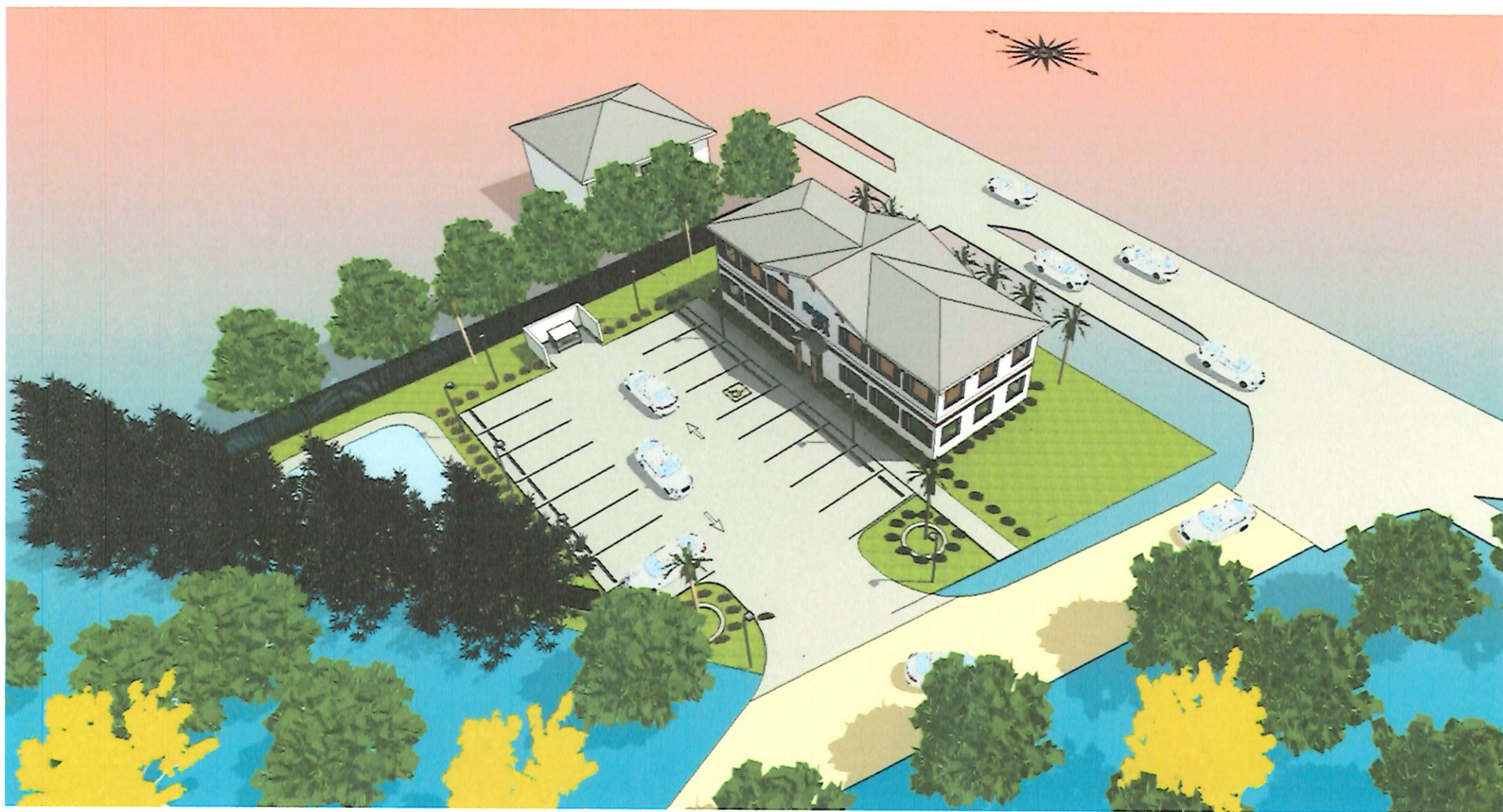
PUD 24-0006

Staff finds that the criteria for a PUD Zoning district were met in the application and therefore Staff recommends approval of the request for PUD 25-0002



Questions?

**Attachment
“B”
PUD-25-0002
Applicant**

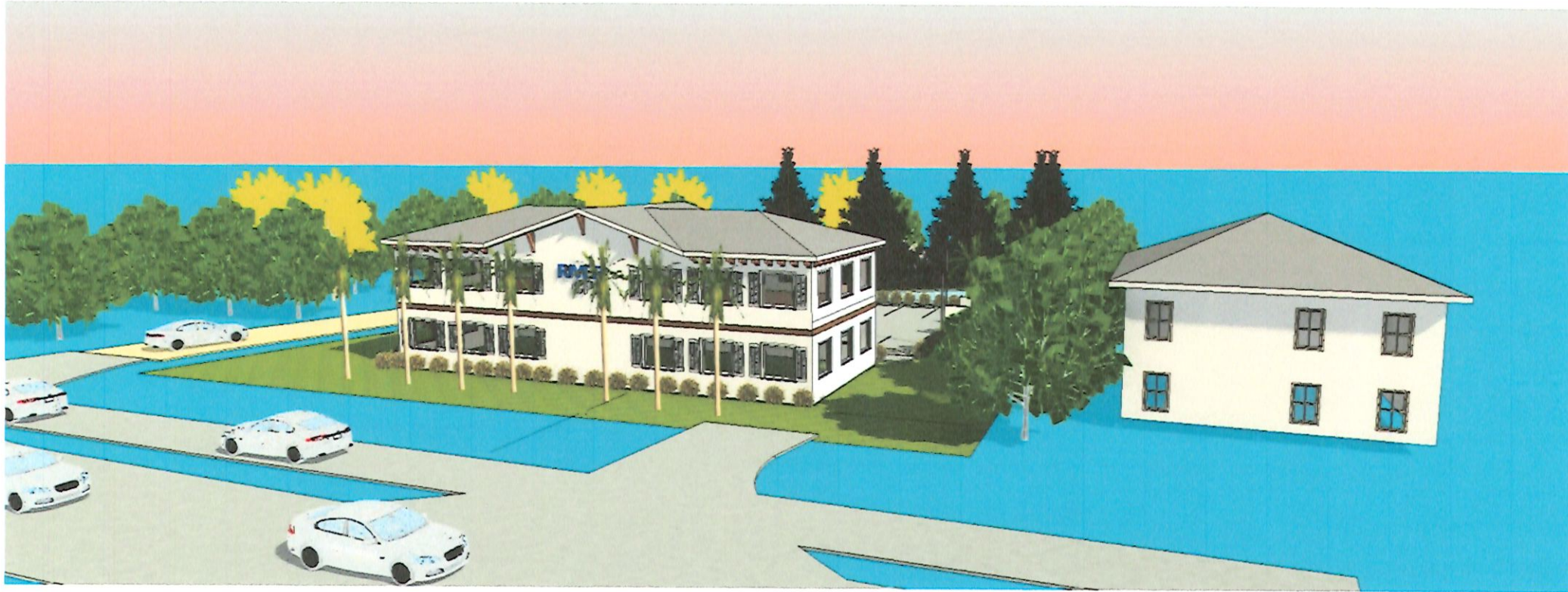


RIVER CPA EAST ELEVATION









RIVER CPA NORTH ELEVATION



RIVER CPA SOUTH ELEVATION

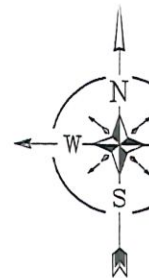


RIVER CPA WEST ELEVATION

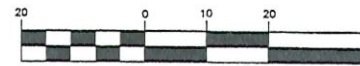


PREPARED FOR: STAN HUNT

3247 SF TOTAL
13 SPACES REQUIRED
PROVIDED = 13
DUMPSTER??



GRAPHIC :

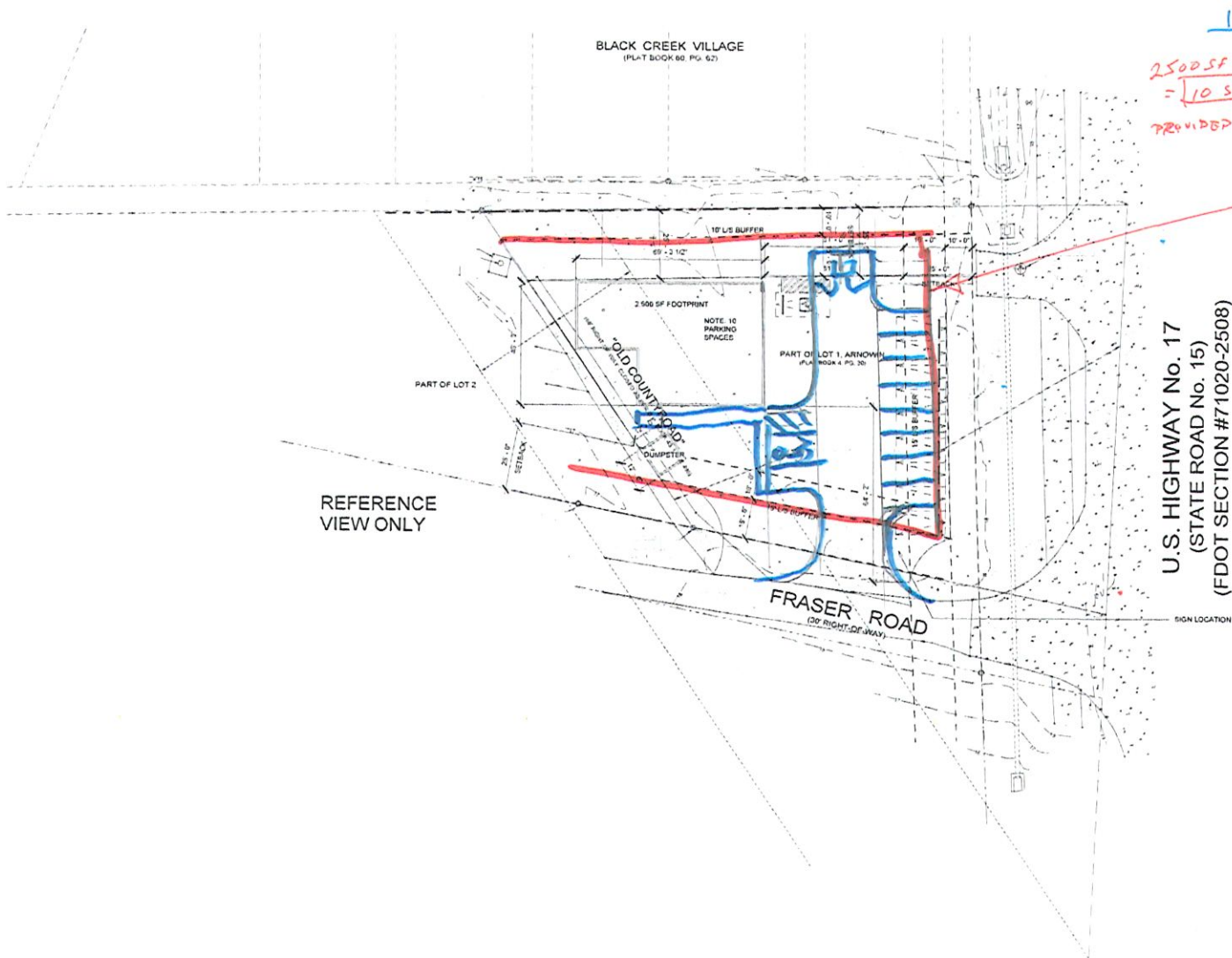


(IN FEET
1 inch = 20

U.S. HIGHWAY No. 17
(STATE ROAD No. 15)
(FDOT SECTION #71020-2508)

GENERAL NOTES

1. THIS SURVEY MAP DOES NOT REFLECT OW
2. UNDERGROUND PORTION OF FOUNDATION/F
3. THERE MAY BE UNDERGROUND UTILITIES N
4. THIS MAP DOES NOT PURPORT TO BE A B
5. THE RELATIVE LINEAR DISTANCE ACCURAC
6. ALL MEASUREMENTS ARE IN U.S. STANDAR
AND ELECTRONIC DISTANCE MEASURING DE
7. THE DIMENSIONS OF THE BUILDING SHOWN
IF ANY.
8. ALL BUILDING TIES ARE PERPENDICULAR T
OTHERWISE.
9. THIS SURVEY MAP AND/OR SURVEY REPO
WITHOUT THE SIGNATURE OF A LICENSED :
RAISED SEAL.
10. NO TITLE OPINION OR ABSTRACT OF MAT
THE SUBJECT PROPERTY HAVE BEEN PROV
OF RECORD, UNRECORDED DEEDS, EASEME
AFFECT THE BOUNDARIES.
11. NOTICE OF LIABILITY: THIS SURVEY IS CER
THE FACE THEREOF. ANY OTHER USE, BEN
STRICTLY PROHIBITED AND RESTRICTED. S
CERTIFIED AND HEREBY DISCLAIMS ANY OT
THE RIGHTS OF ANY OTHER INDIVIDUAL OR



3S Design Studio Custom Architect 3432 Ringail C Green Cove Springs, FL cennis@3sdesignstudio.com	Bruce D. Ambrose, Principal 1394 28th Street Jacksonville, FL 32218 904.228.6637 B.Ambrose@3sdesignstudio.com	No. Description Date	RIVER CPA RIVER CPA OFFICE 0 FRASE ROAD GREEN COVE SPRINGS, FL. 32043
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SITE PLAN - PROPOSED SURVEY WITH
ELEV.
1" = 20'-0"

REFERENCE
VIEW ONLY

BLACK CREEK VILLAGE
(PLAT BOOK 62, PG. 62)

FRASER ROAD
(30' RIGHT-OF-WAY)

U.S. HIGHWAY No. 17
(STATE ROAD No. 15)
(FDOT SECTION #71020-2508)

3,400 SF BLDG
250 SF per sp? \Rightarrow 14 required
5 spaces
PROVIDED 12 \leftarrow 1" = 40'

ACTUAL LIS BUFFER LOCATION
PARKING CAN'T BE IN
THE LIS BUFFER

PLAN

RIVER CPA
RIVER CPA OFFICE

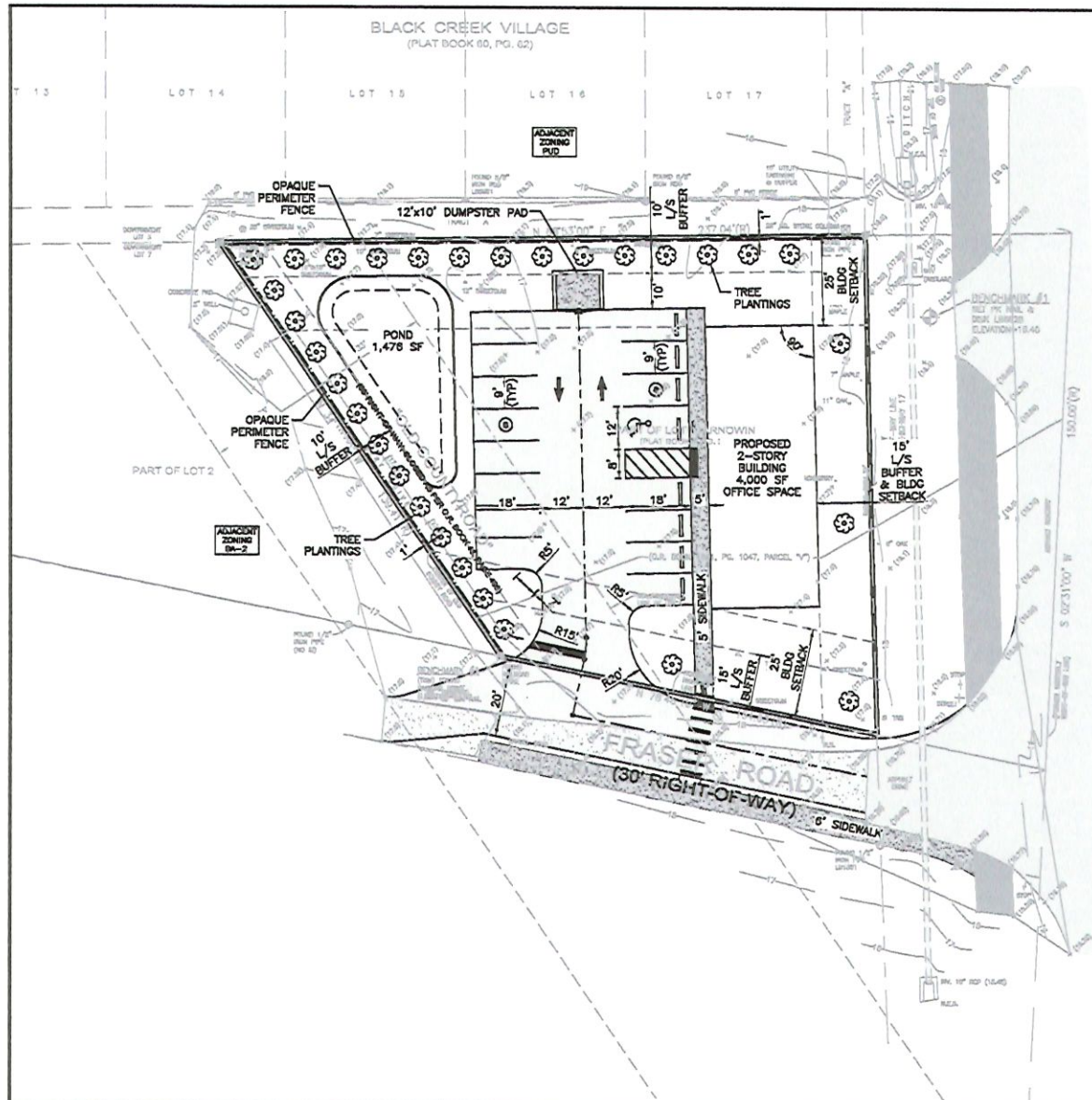
2021.02.25
6/20/21

No. Description Date



Bruce D. Ambrosio
Architect, AIA
No. 10000, State of Florida
Exp. 12/31/2022

3S Design
Studio, LLC
Custom Architectural Design



U.S. HIGHWAY No. 17
(STATE ROAD No. 15)
(FDOT SECTION #71020-2508)

- LEGEND**
- AREAS WHERE NEW CONCRETE CONSTRUCTION IS TO OCCUR
 - AREAS WHERE NEW ASPHALT CONSTRUCTION IS TO OCCUR
 - PROPERTY BOUNDARY
 - SOLID ARROWS ARE FOR DIRECTIONAL PURPOSES ONLY NOT FOR PAVEMENT MARKINGS
 - NUMBER OF STANDARD PARKING SPACES
 - NOTE: FOR ADA PARKING AND SIDEWALK DETAILS SEE MEC. DETAILS



ZONING	
CURRENT ZONING CLASSIFICATION	BA-2
REQUESTED ZONING CLASSIFICATION	PCD
LAND USE DESIGNATION	PLANNED COMMERCIAL DEVELOPMENT

SITE INFORMATION	
STANDARD PARKING SPACES	15
ADA PARKING SPACES	1 VAN
TOTAL PARKING SPACES	15 + 1 ADA

- * OFFICES, PROFESSIONAL AND BUSINESS
1 SPACE PER 250 SF (4000 / 250) = 16 SP
- * TOTAL ADA
= 1 PER 1-25 STANDARD SP
VAN = 1 PER 1-400 ADA SP

0 15 30
SCALE: 1" = 15'
SCALE: 1" = 30'
FOR: 22"x34" SHEET
FOR: 11"x17" SHEET

TE TOCOI Engineering
a BAXTER WOODMAN company
74 NORTH ORANGE AVENUE, GREEN COVE SPRING, FL 32043
TEL: 904.455.1200 FAX: 904.455.1200

DRAWN BY: K2000
CHECKED BY: CHS/ASH
DATE: 4/26/20
REVISION NUMBER: 70089

RIVER CPA OFFICE
FOR
RIVER CPA
CONCEPT PLAN

DATE: 4/26/20
DRAWN BY: K2000
CHECKED BY: CHS/ASH
DATE: 4/26/20
REVISION NUMBER: 70089
SHEET NO. 4

Attachment
“C”
PUD-25-0002
Public Hearing

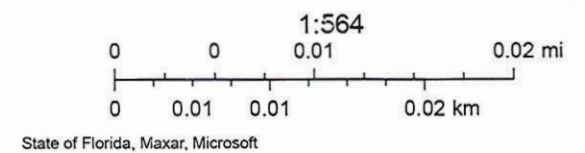
Viewer Map



May 6, 2025

- | | | |
|-----------------------|--------------------|----------------------------|
| School | Fire Station | Museum |
| Park | Boat Ramp | Other Government Locations |
| Library | Points of Interest | Police Sub Station |
| Bookmobile | Historical Markers | Post Office |
| Library; Main Library | Hospital | Parcel Data |

- | | | |
|-----------------------|-----------------------|-----------------------|
| St Johns County Roads | Roads | Bradford County Roads |
| Putnam County Roads | Proposed Road | Alachua County Roads |
| Duval County Roads | St Johns County Roads | Proposed Road |
| Bradford County Roads | Putnam County Roads | Proposed Road |
| Alachua County Roads | Duval County Roads | |



Attachment
“D”
ZON-24-0033

Rezoning Application:

ZON 24-0033

Planning Commission

May 6, 2025

Board of County Commissioners

May 27, 2025



Application Information

Applicant: Carole Ann Trufant ETAL owners, Folks Huxford, Agent

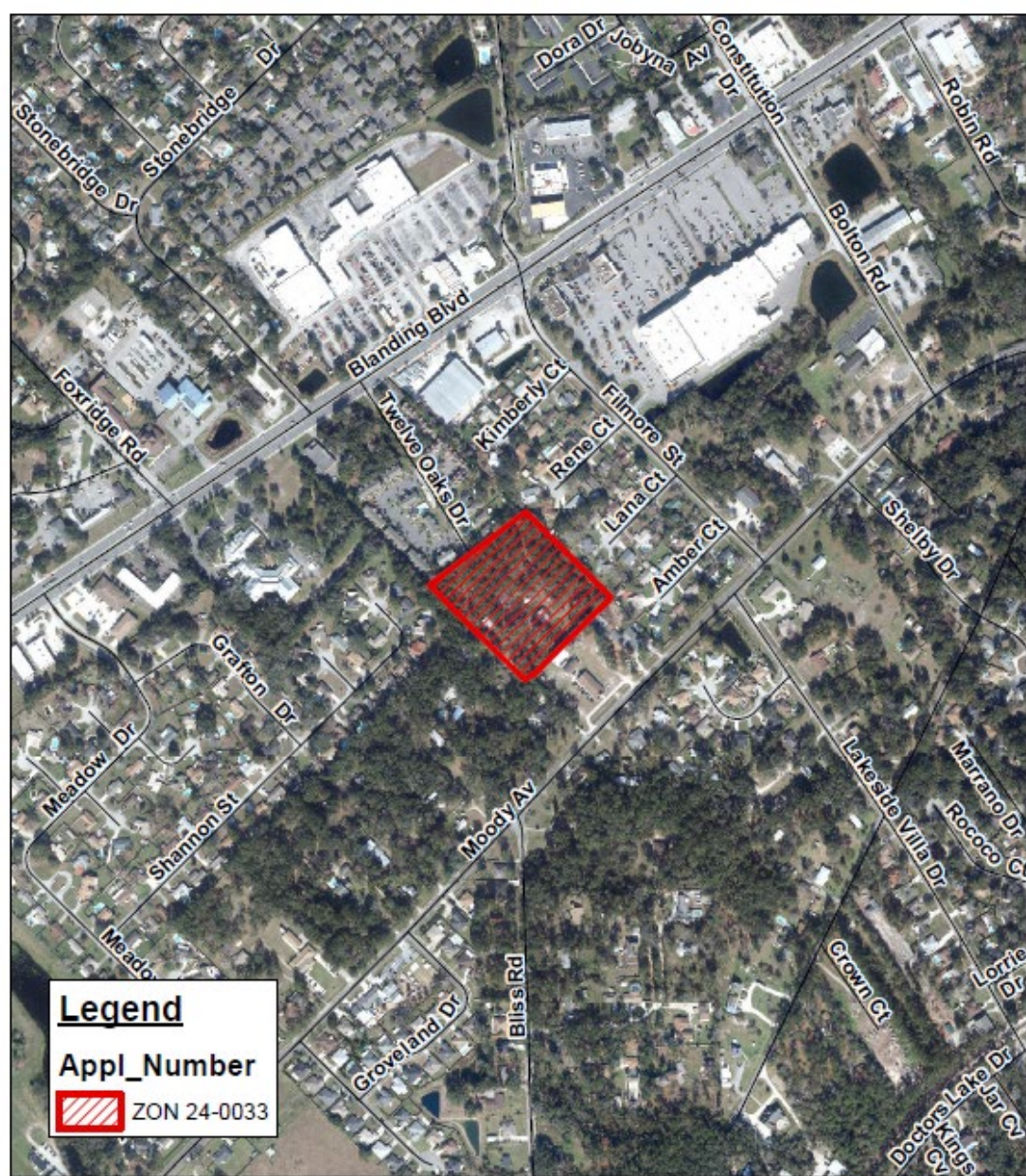
Location: The subject parcel located off of Twelve Oaks Drive, in between Blanding Blvd. and Moody Avenue.

Commission

District: 3, Comm. Renninger

Parcel: 1 parcel equaling 5.73 +/- acres, to be subdivided into a 52 unit residential townhome community.

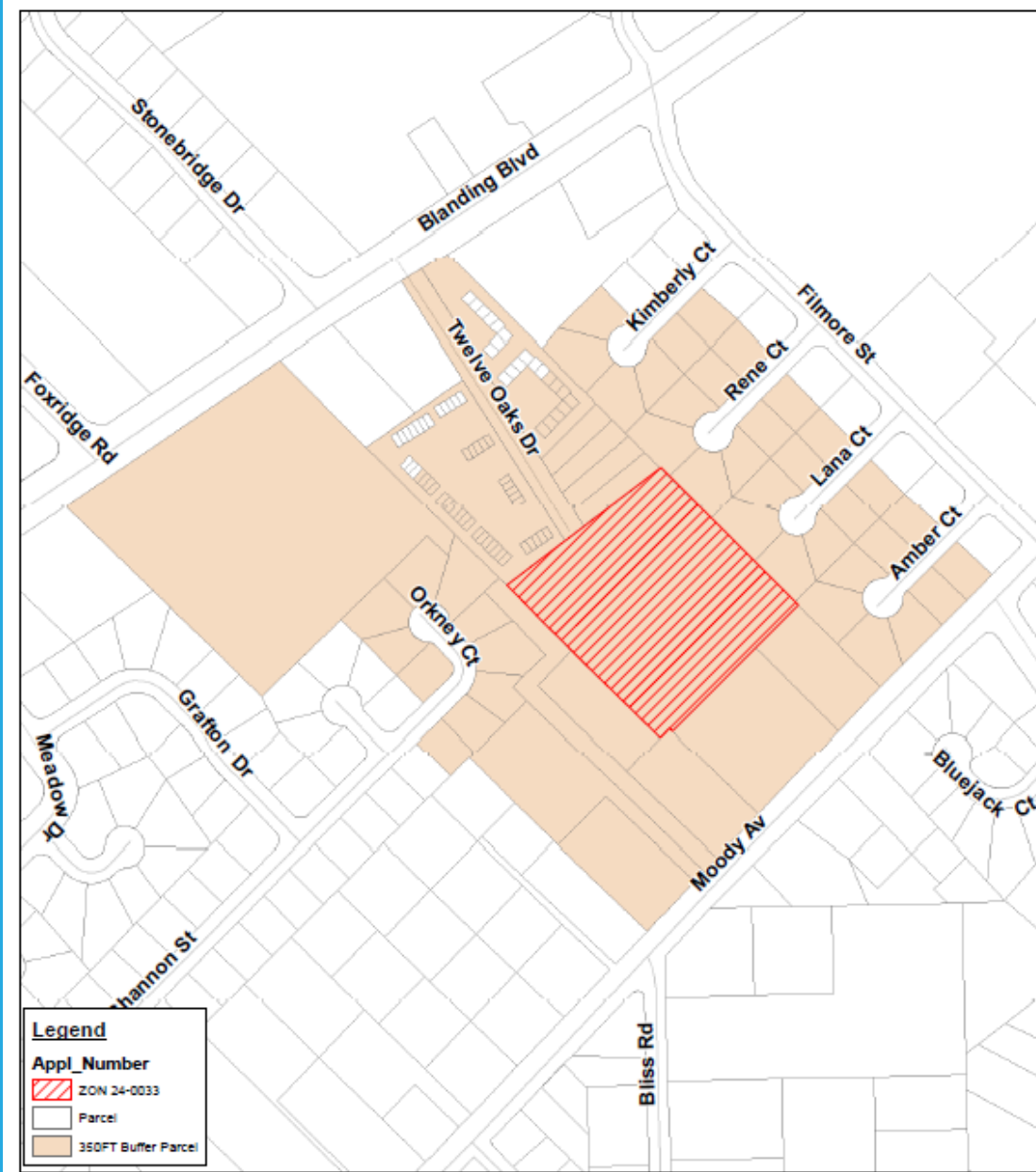
- ZON 24-0033 would change the zoning from AR (Agricultural/Residential) to RD-4 (Multi-Family-Residential District).



0 255 510 1,020 Feet

Rezoning: ZON 24-0033
from AR to RD-4

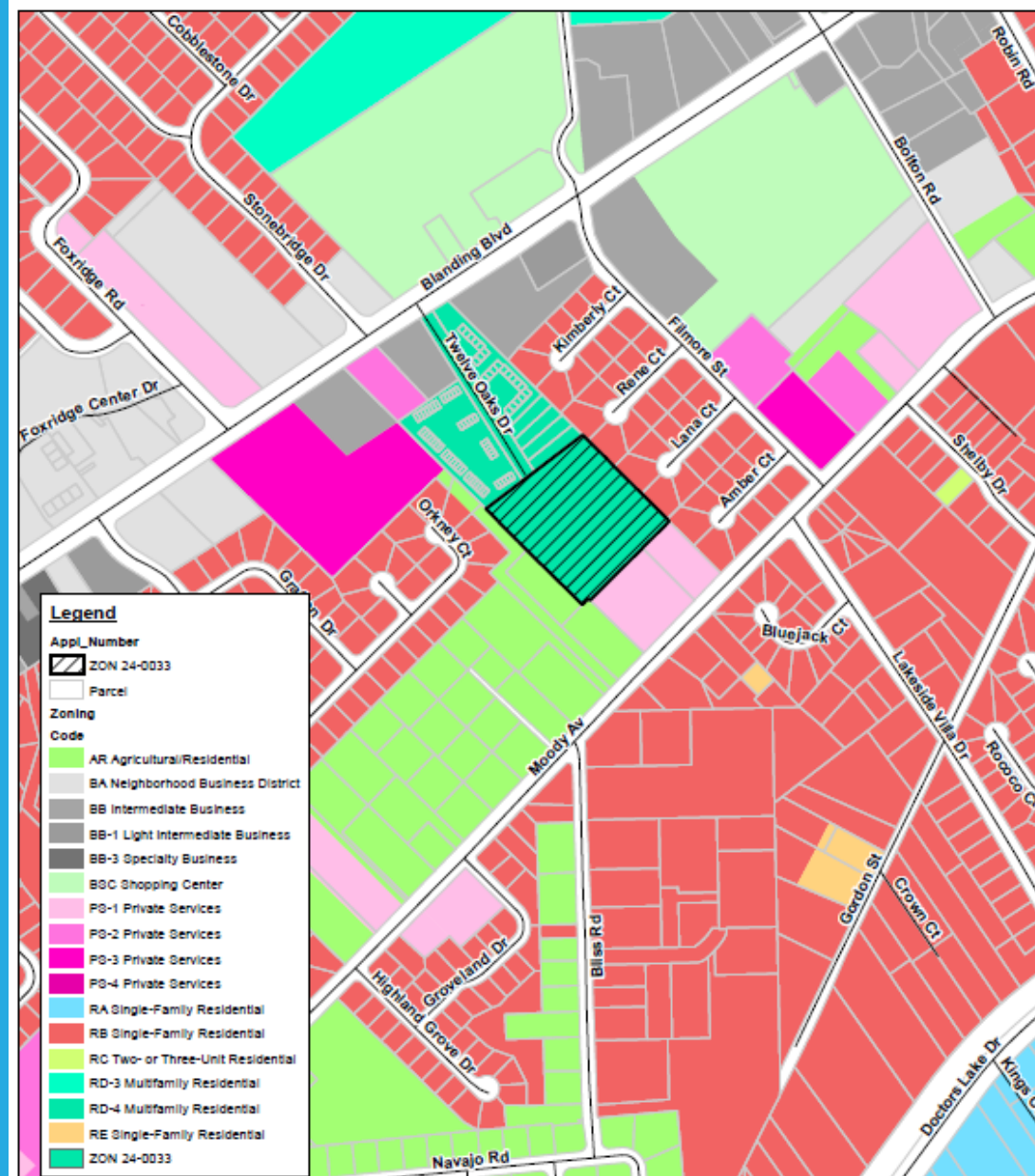
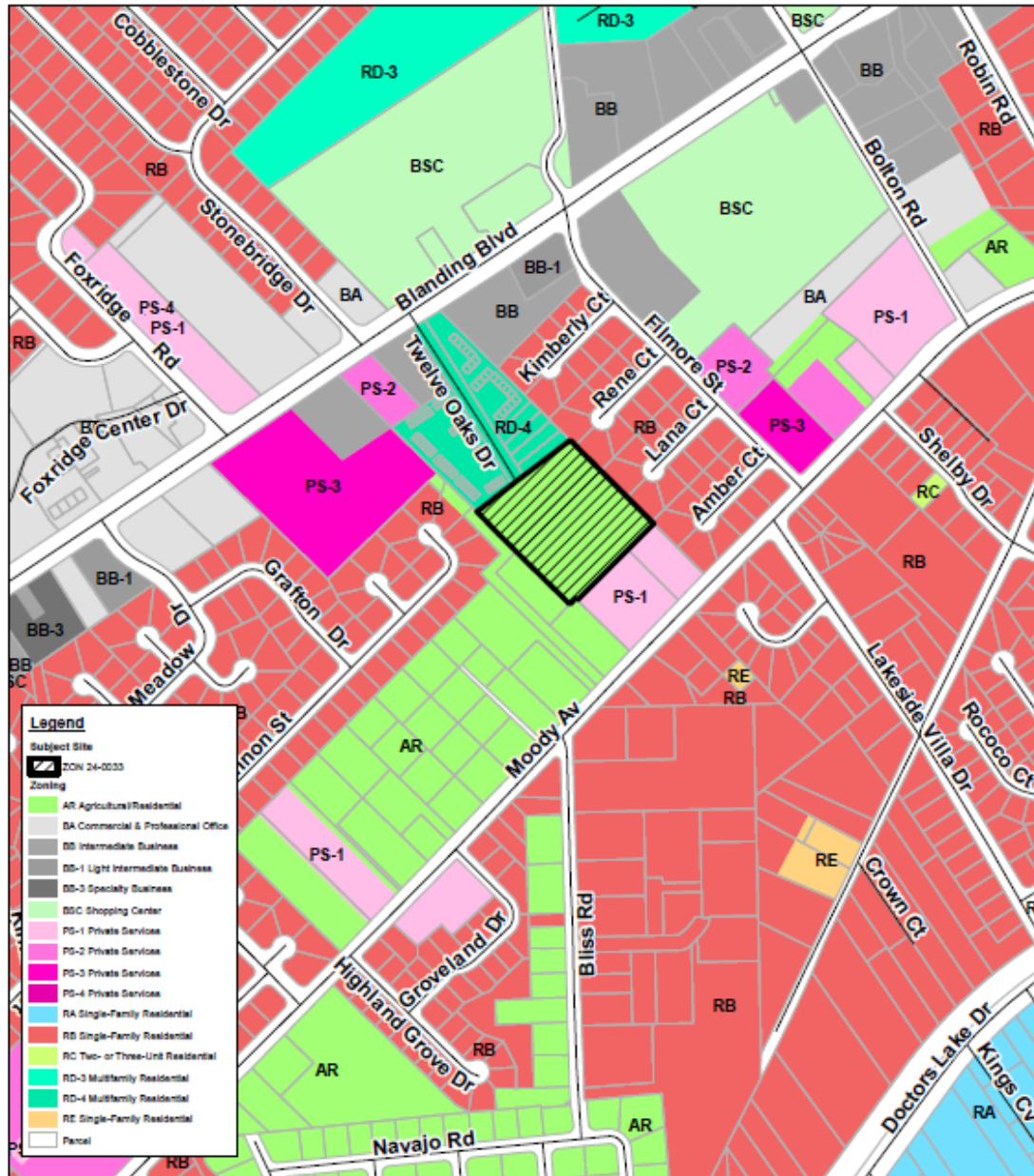
Page 38 of 162



0 160 320 640 Feet

Parcel Notifications Map
ZON 24-0033





ZON changes proposed for 5.73+/- acre parcel

Proposing 52 single-family townhome lots.

Current zoning of AR (Agricultural Residential) to RD-4 (Single Family-Residential District)

- Land use of Urban Core - 10 will not change
- The property is surrounded by UC-10 land use which allows for 10 units to the acre. This request should be considered in-fill development per this fact.
- The project is proposing 9 units to the acre.
- The proposal continues the County's efforts by providing a variety of housing options at a variety of price points.

Project Description

Applicant is requesting a 52 lot subdivision for a density of 9 units per net acre.

Recommendations

There is no CAC for this area of the County.

ZON 25-0001

Staff finds that the criteria for RD-4 Zoning district were met in the application and therefore Staff recommends approval of the request for ZON 24-0033



Attachment
“E”
ZON-25-0012

Rezoning Application:

ZON 25-0012

Planning Commission

May 6, 2025

Board of County Commissioners

May 27, 2025



Application Information

Applicant: Donald Chase ETAL owners Frank Miller, Agent

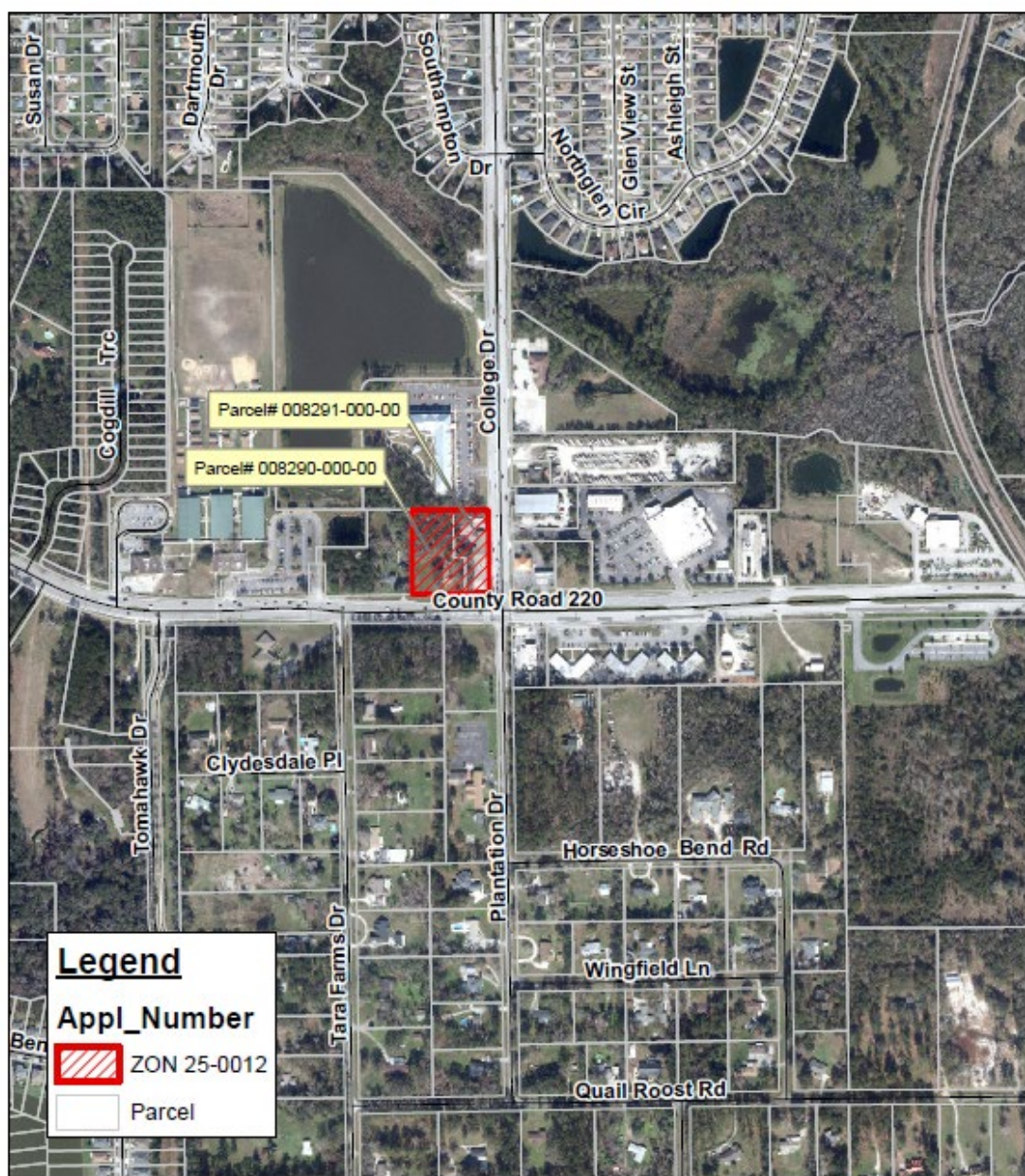
Location: The subject parcels are located on the corner of College Drive and County Road 220 and contain approximately 2.61 acres of land.

Commission

District: 1, Comm. Sgromolo

Parcel: 2 parcels equaling 2.61 +/- acres, The request is to change both lots to Neighborhood Business District (BA) in order to create a unified development plan for the development of a convenience store and gas station.

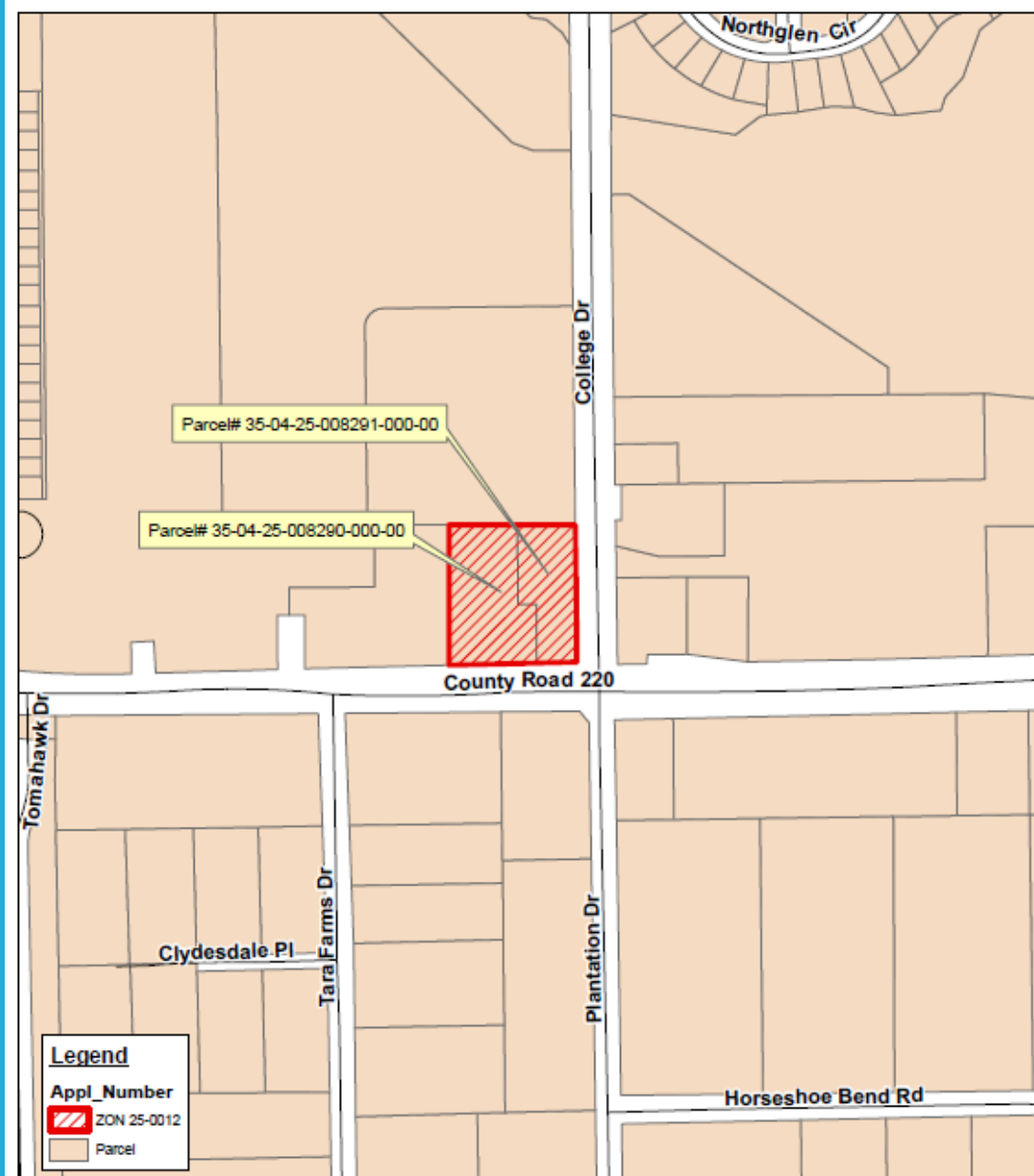
- ZON 25-0005 would change the zoning from PCD (Planned Commercial Development) and BA-2 (Commercial & Professional Office District) to BA (Neighborhood Business District)



0 255 510 1,020 Feet

Rezoning: ZON 25-0012
from BA-2 & PCD to BA

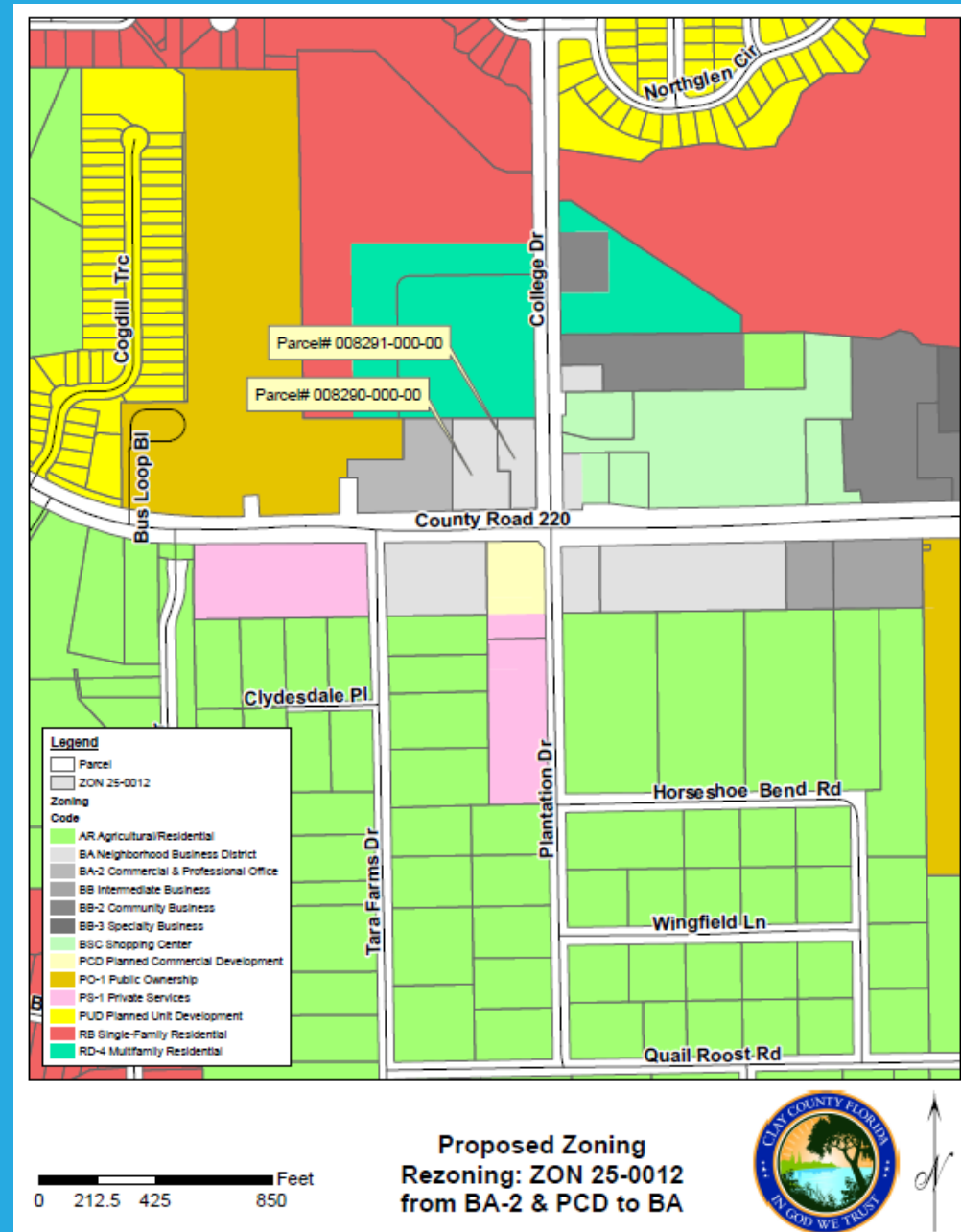
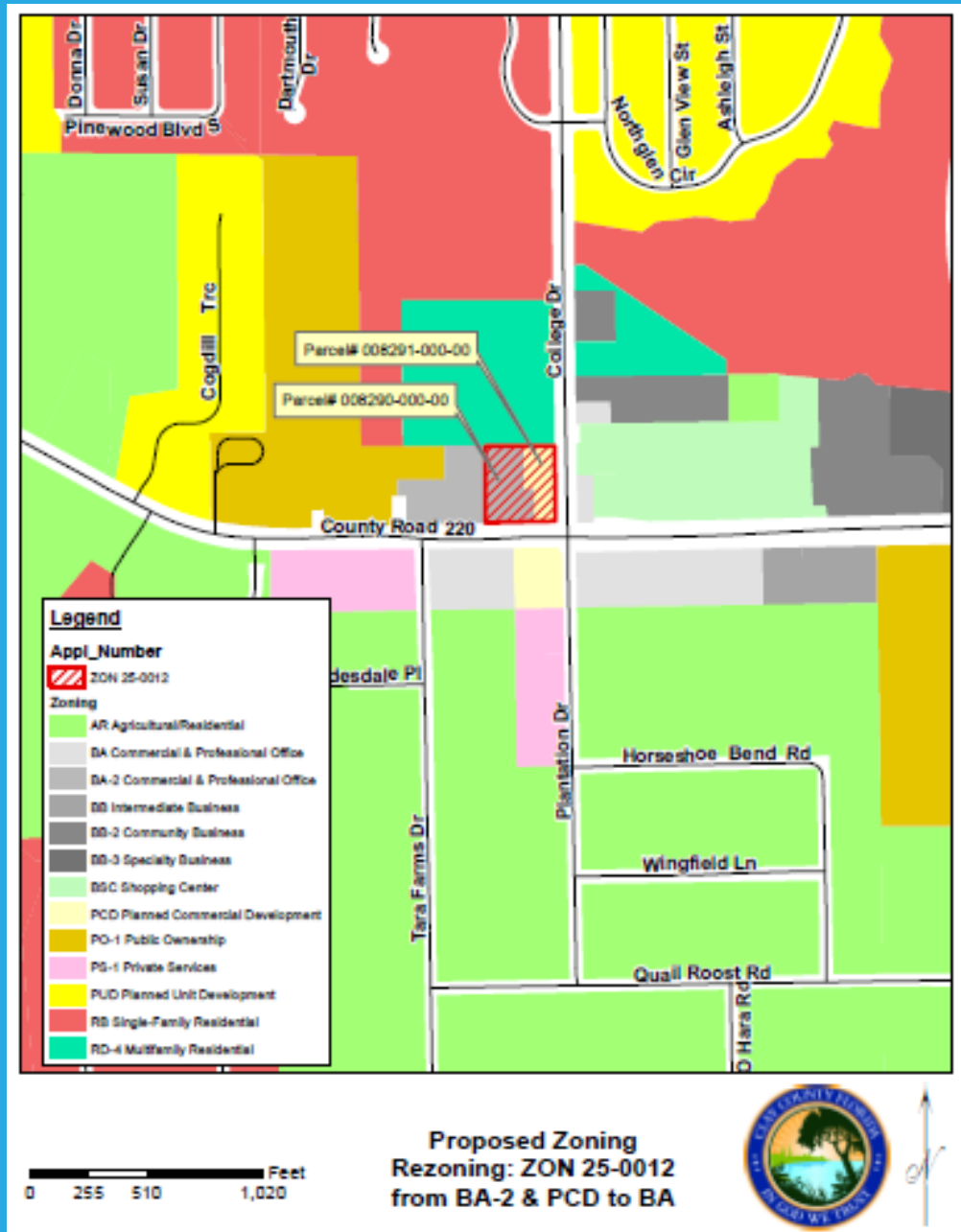
Page 45 of 162



0 155 310 620 Feet

Parcel Location
Rezoning: ZON 25-0012
from BA-2 & PCD to BA





ZON changes proposed for 2.61+/- acre parcel

Proposing a Convenience store with gas pumps on two parcels.

Current zoning of BA-2 (Commercial & Professional Office) and PCD (Planned Commercial District) to BA (Neighborhood Business District)

- Proposed development with create a unified development plan across two lots
- Clay Utilities would provide sewer & water service.
- The Future Land Use of Commercial would not change
- The proposed use would provide additional services at a pivotal intersection in the County.

Project Description

Applicant is requesting to change two lots from BA-2 & PCD zoning to Neighborhood Business District (BA) in order to create a unified development plan for the development of a convenience store and gas station.

Recommendations

There is no Citizens Advisory Committee for this area of the County

ZON 25-0012are

Staff finds that the criteria for BA Zoning district were met in the application and therefore Staff recommends approval of the request for ZON 25-0012





Agenda Item
PLANNING COMMISSION

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

TO: Planning Commission

DATE:

FROM: Dodie Selig, AICP, Chief
Planner

SUBJECT: The staff is requesting a continuance to the July 1, 2025 Planning Commission Meeting.

AGENDA ITEM TYPE:



Agenda Item
PLANNING COMMISSION

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

TO: Planning Commission

DATE: 5/23/2025

FROM: Dodie Selig, AICP, Chief
Planner

SUBJECT: This application is a Staff initiated amendment to the Land Development Code amending Article II and Article VIII related to waste control regulations.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

The Florida Department of Environmental Protection (FDEP) recently reviewed the County's Municipal Separate Storm Sewer System (MS4) permit, which is necessary for local government to legally discharge stormwater from their storm sewer systems into U.S. waters.

As a part of its review, FDEP recommended a change to the County's land development regulations. Specifically, they have suggested the inclusion of language related to the on-site control of waste during the development of property. This would be in addition to, and enhance the effectiveness of, the control of sediment and erosion which is already included in the land development regulations.

ATTACHMENTS:

Description	Type	Upload Date	File Name
▣ Staff Report for ZON 25-0015	Cover Memo	5/29/2025	PC_Staff_Report_ZON_25-0015_(waste_control)ada.pdf
▣ Ordinance_ZON-25-0015_Art. II	Ordinance	5/29/2025	Ordinance_-_ZON_25-0015_(Art._2)_finalada.pdf
▣ Ordinance_ZON-25-0015_Art. VIII	Ordinance	5/29/2025	Ordinance_-_ZON_25-0015_(Art._8)_finalada.pdf



Staff Report and Recommendations for ZON-25-0015

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

Introduction:

This application is a Staff initiated amendment to the Land Development Code amending Article II and Article VIII related to waste control regulations.

Background:

The Florida Department of Environmental Protection (FDEP) recently reviewed the County's Municipal Separate Storm Sewer System (MS4) permit, which is necessary for local government to legally discharge stormwater from their storm sewer systems into U.S. waters. These permits are integral to the National Pollutant Discharge Elimination System (NPDES) program, which is designed to safeguard water quality.

To comply with the permit requirements, local governments must develop and implement a Stormwater Management Program (SWMP) that focuses on reducing pollution and enhancing water quality protection. This regulatory framework emphasizes the importance of effective stormwater management in maintaining environmental standards.

As a part of its review, FDEP recommended a change to the County's land development regulations. Specifically, they have suggested the inclusion of language related to the on-site control of waste during the development of property. This would be in addition to, and enhance the effectiveness of, the control of sediment and erosion which is already included in the land development regulations.

Summary of the Proposed Zoning Text Amendment:

The following changes are proposed:

1. In Article II (Procedures for Development Review), the regulations related to application for a Major Development and for a Major Subdivision are being amended to add "waste control" to the list of on-site erosion control practices that must be shown on the development plans.
2. In Article VIII (Design and Improvement Standards), a definition for waste control is being added to the Erosion and Sediment Control Section 8-16. It is also being included under the general criteria and the violations and enforcement subsections.

Proposed Zoning Text Amendments:

ARTICLE II, SECTION 2-6(4)(d)(5):

MAJOR DEVELOPMENT REVIEW PROCESS

- (5) The locations of the erosion, ~~and~~-sediment and waste control and stormwater management practices used on the site; and,

ARTICLE II, SECTION 2-8(5)(d)(6)(h): MAJOR SUBDIVISION REVIEW PROCESS

- (h) The locations of the erosion, ~~and~~-sediment and waste control and stormwater management practices used on the site; and,

ARTICLE VIII, SECTION 8-16(1): EROSION AND SEDIMENT CONTROL

- (1) **General Criteria** – The general criteria are minimum requirements for controlling erosion and sedimentation. These general criteria do not replace the requirement for individually developed erosion, ~~and~~-sediment and waste control plans; however, they do establish minimum standards of soil conservation practice, which apply to all land disturbing projects. Nothing in the general criteria shall limit the County Engineer's authority to impose additional or more stringent standards for controlling erosion and sedimentation.

ARTICLE VIII, SECTION 8-16(2)(k): EROSION AND SEDIMENT CONTROL

- (k) Waste Control** – Waste generated on-site, including but not limited to discarded building material, concrete truck wash-out, chemicals, litter, and sanitary waste must be stored, secured, or otherwise controlled to the maximum extent practicable to prevent adverse impacts to water quality.

ARTICLE VIII, SECTION 8-16(4): EROSION AND SEDIMENT CONTROL

- (4) **Violations and Enforcement** – If the county determines that a development does not have an approved erosion and sediment and waste control plan, or the approved plan is not being complied with, the county shall issue a stop work order, and notify the landowner or permittee in writing of what must occur to continue with the development or land disturbance activity. Such notice shall set forth specifically the noted deficiencies, the corrections measures required and the time within which such measures shall be completed.

Analysis of Proposed Zoning Text Amendment

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

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

Staff Finding: The proposed text amendment is necessary in order to address comments provided by the Florida Department of Environmental Protection related to the County's MS4 permit. The amendment will

enhance the County's Stormwater Management Program (SWMP) by increasing regulation aimed at reducing pollution and enhancing water quality protection.

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

Staff Finding: The proposed amendment will support the policies and objectives of the Plan, specifically Conservation Element Policy 1.2.3 (see below) by providing increased direction and oversight for control of site waste in addition to erosion and sediment control plans.

CON POLICY 1.2.3 The County shall continue to enforce adopted land development regulations which contain provisions in the site plan review process to prevent soil erosion and subsequent off-site siltation of surface water bodies.

Recommendation

Staff recommends approval of ZON-25-0015.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, RELATING TO ARTICLE II OF THE CLAY COUNTY LAND DEVELOPMENT CODE, BEING THE CODIFICATION OF ORDINANCE NO. 2024-45, AS SUBSEQUENTLY AMENDED, AND COMPRISING THE PROCEDURES FOR DEVELOPMENT REVIEW; TO AMEND SECTION 2-6(4)(d)(5)(g) AND SECTION 2-8(5)(d)(6)(h) TO ADD WASTE CONTROL TO THE EROSION CONTROL PLAN REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board adopted Ordinance 2024-45, as amended, which created Article II of the Clay County Land Development Code being the Procedures for Development Review; and,

WHEREAS, the Board desires to amend certain provisions in Article II of the Clay County Land Development Code as provided below.

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

Section 1. As used herein, the term “Article II” shall mean and refer to Article II of the Clay County Land Development Code, (the Code), being the codification of Ordinance No. 2024-45 and comprising the Procedures for Development Review provisions of the Code.

Section 2. Article II, Subsection 2-6(4)(d)(5)(g) is hereby amended as follows:

(g) The locations of the erosion, ~~and sediment~~ and waste control and stormwater management practices used on the site; and,

Section 3. Article II, Subsection 2-8(5)(d)(6)(h) is hereby amended as follows:

(h) The locations of the erosion, ~~and sediment~~ and waste control and stormwater management practices used on the site; and,

Section 4. If any section, phrase, sentence or portion of the Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This Ordinance shall take effect as provided by Florida general law.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this
_____ day of June, 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

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, RELATING TO ARTICLE VIII OF THE CLAY COUNTY LAND DEVELOPMENT CODE, BEING THE CODIFICATION OF ORDINANCE NO. 2010-16, AS SUBSEQUENTLY AMENDED, AND COMPRISING THE DESIGN AND IMPROVEMENT STANDARDS; TO AMEND SECTION 8-16(1) AND SECTION 8-16(4) TO ADD WASTE CONTROL TO THE EROSION AND SEDIMENT CONTROL GENERAL CRITERIA AND VIOLATIONS AND ENFORCEMENT PROVISIONS; TO ADD A NEW SUBSECTION (k) IN SECTION 8-16(2) CONCERNING WASTE CONTROL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board adopted Ordinance 2010-16, as amended, which created Article VIII of the Clay County Land Development Code being the Design and Improvement Standards; and,

WHEREAS, the Board desires to amend certain provisions in Article VIII of the Clay County Land Development Code as provided below.

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

Section 1. As used herein, the term “Article VIII” shall mean and refer to Article VIII of the Clay County Land Development Code, (the Code), being the codification of Ordinance No. 2010-16, as amended, and comprising the Design and Improvement Standards provisions of the Code.

Section 2. Article VIII, Subsection 8-16(1) is hereby amended as follows:

- (1) **General Criteria** – The general criteria are minimum requirements for controlling erosion, ~~and sedimentation, and waste.~~ These general criteria do not replace the requirement for individually developed erosion, ~~and sediment~~ and waste control plans; however, they do establish minimum standards of soil conservation practice, which apply to all land disturbing projects. Nothing in the general criteria shall limit the County Engineer's authority to impose additional or more stringent standards for controlling erosion, ~~and sedimentation, and waste.~~

Section 3. Article VIII, Subsection 8-16(2) is hereby amended to add a new subsection (k) as follows:

- (k) **Waste Control** – Waste generated on-site, including but not limited to discarded building material, concrete truck wash-out, chemicals, litter, and sanitary waste must be stored,

secured, or otherwise controlled to the maximum extent practicable to prevent adverse impacts to water quality.

Section 4. Article VIII, Subsection 8-16(4) is hereby amended as follows:

- (4) **Violations and Enforcement** – If the county determines that a development does not have an approved erosion, ~~and~~ sediment and waste control plan, or the approved plan is not being complied with, the county shall issue a stop work order, and notify the landowner or permittee in writing of what must occur to continue with the development or land disturbance activity. Such notice shall set forth specifically the noted deficiencies, the corrections measures required and the time within which such measures shall be completed.

Section 5. If any section, phrase, sentence or portion of the Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6. This Ordinance shall take effect as provided by Florida general law.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of June, 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



Agenda Item
PLANNING COMMISSION

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

TO: Planning Commission

DATE: 5/28/2025

FROM: Jenni Bryla, Zoning Chief

SUBJECT: This application is a Staff initiated amendment to the Land Development Code amending regulations in Article III Sec. 3-35(b),(g),(2),(7),(10)(v) for non-motorized boat ramps in PO-2 zoning districts

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

Clay County acquired the subject repetitive flood loss property through a Flood Mitigation Assistance Grant, administered by FEMA. With this grant, the county was able to acquire the lot, demolish the dwelling and structures that sat on it and return the land to open space.

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Staff

Economic Development Department

ATTACHMENTS:

Description	Type	Upload Date	File Name
▢ Staff Report for ZON 25-0008	Cover Memo	5/29/2025	Staff_report_ZON_25-0008_final_jbada.pdf
▢ Ordinance ZON 25-0008	Ordinance	5/29/2025	Ordinance_(draft) - ZON_25-0008_(PO-2)ada.pdf



Staff Report and Recommendations for ZON-25-0008

Introduction:

This application is a Staff initiated amendment to the Land Development Code amending regulations in Article III Sec. 3-35(b),(g),(2),(7),(10)(v) for non-motorized boat ramps in PO-2 zoning districts.

Background:

Clay County acquired the subject repetitive flood loss property through a Flood Mitigation Assistance Grant, administered by FEMA. With this grant, the county was able to acquire the lot, demolish the dwelling and structures that sat on it and return the land to open space. Through a proposed partnership with the SJWMD, the county would like to now utilize the lot for recreational space, benefiting residents by providing picnic areas and public access to Black Creek. The site will become a non-motorized boat launch for public recreational purposes. The County will own the facility and maintain it and the SJRWMD will design and construct the facility. The stipulation in the grant program is that the subject lands must be used for open space in perpetuity.

Summary of the Proposed Land Development Code Amendment:

The following amendments to Sec. 3-35(b) are proposed to include the specific type of vessels that can access the boat ramps:

(b) *Permitted Uses.* Public Parks and Recreation Facilities including but not limited to the following:

(1) Boat Ramps (motorized and non-motorized)

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

(2) Frontage. The minimum required frontage on a public street to be used for the primary point of access shall be fifty ~~one hundred~~ (40050) feet.

(7) Fencing and Screening. Where deemed necessary by the Board of County Commissioners to protect the general public safety fences up to a height of ten (10) feet may be required. The Commission may also require a landscape screen of at least seventy-five (75) percent opaqueness to protect neighboring property from potential loss of use or diminishment of land value or use.

(10) Parking and Loading. All uses authorized herein shall be subject to the procedural requirements of the Off-Street Parking and Loading regulations of Article 8 (except as modified below), and can be grass stabilized or hard surfaced:

(v) Non-motorized boat ramps. Five (5) spaces.

This amendment is necessary in order to accommodate the repetitive loss site's limited physical characteristics. The site is large enough to accommodate non-motorized boats the ability to launch from the site. The site has approximately 5.3 acres and roughly 400 hundred feet of shoreline on Black Creek

One of the changes to the code that is necessary is that the public road frontage needs to be reduced to 50' to accommodate the distance that this particular property contains along Black Creek Drive.

Analysis of Proposed Zoning Text Amendment

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

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

Staff Finding: The proposed text amendment is necessary to accommodate a public resource provided by FEMA. In order to make the property compliant for recreational access and not pose undue intrusion into the neighborhood, the code changes are necessary. The removal of the residence that was on this property also serves the County by not having habitable structures in the Flood Way.

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

Staff Finding: The proposed amendment will support the purposes and intent of the Code by additional recreational lands for the Citizens of the County.

Lake Asbury-Penney Farms CAC

The CAC heard this item at their meeting on May 8, 2025 and voted 9-0 to recommend approval of the rezoning and the companion code language.

Recommendation

The proposed revisions will provide for the use of the repetitive loss property for County recreational purposes. Staff recommends approval of ZON 25-0008 subject to the Board's adoption of the companion rezoning of the property to PO-2 from AR ZON 25-0009.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, RELATING TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, BEING THE CODIFICATION OF ORDINANCE NO. 2009-52, AS SUBSEQUENTLY AMENDED, AND COMPRISING THE ZONING AND LAND USE; TO AMEND SECTION 3-35 PUBLIC OWNERSHIP (ZONE PO-2), SUBSECTIONS (b-1), (g-2), (g-7), AND (g-10-v), CONCERNING THE CREATION OF A NON-MORTIZED BOAT RAMP AND THE CORRECTION OF SCRIVERS ERRORS PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County was awarded a grant from the Federal Emergency Management Agency to remove a repetitive loss property from the roles; and,

WHEREAS, the stipulation of the grant program is that the subject lands must be used for open space; and,

WHEREAS, the Board desires to create an amenity for the Citizens of Clay County; and,

WHEREAS, the Board desires to clarify between motorized and non-motorized boat launches by amending certain requirements of Article III of the Clay County Land Development Code as provided below.

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

Section 1. As used herein, the term “Article III” shall mean and refer to Article III of the Clay County Land Development Code, being the codification of Ordinance 2009-52, as subsequently amended, and comprising the Zoning and Land Use Land Development Regulations.

Section 2. Article III, Subsection 3-35, Public Ownership (Zone PO-2), is hereby amended as follows:

(a) ***Permitted Uses.*** Public Parks and Recreation Facilities including but not limited to the following:

(1) Boat Ramps (motorized or non-motorized)

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

2. **Frontage.** The minimum required frontage on a public street to be used for the primary point of access shall be fifty one hundred (10050) feet.

7. **Fencing and Screening.** Where deemed necessary by the Board of County

Commissioners to protect the general public, safety fences up to a height of ten (10) feet may be required. The Commission may also require a landscape screen of at least seventy-five (75) percent opaqueness to protect neighboring property from potential loss of use or diminishment of land value or use.

10. Parking and Loading. All uses authorized herein shall be subject to the procedural requirements of the Off-Street Parking and Loading regulations of Article 8 (except as modified below), and can be grass stabilized or hard surfaced:

- (i) Athletic Fields. One (1) space for every four (4) bleacher seats or thirty (30) spaces per athletic field, whichever is greater.
- (ii) Campgrounds. One (1) space per campsite plus one (1) space per employee.
- (iii) Outdoor Attraction. Five (5) spaces for each acre of outdoor attraction area.
- (iv) Recreation Areas. Five (5) spaces for each acre of outdoor recreation area.
- (v) Non-motorized boat ramps. Five (5) spaces.

Section 3. If any portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed so as to render invalid or unconstitutional the remaining provision of this Ordinance.

Section 4. This Ordinance shall become effective as provided by law.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of June, 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



Agenda Item
PLANNING COMMISSION

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

TO: Planning Commission

DATE: 4/30/2025

FROM: Jenni Bryla, Zoning Chief

SUBJECT: An application to change the current zoning of 5.34 acres from Lake Asbury Rural Community (LA-RC) to Public Ownership (PO-2)

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

This parcel of land was chosen for this passive amenity as it was a repetitive loss property and through a grant sponsored by FEMA, the structure on the lot was demolished and now the County is able to return the land to open space. One of the requirements of the grant was that there could be no habitable structures on the property.

ATTACHMENTS:

Description	Type	Upload Date	File Name
▢ Staff Report for ZON 25-0009	Cover Memo	5/29/2025	ZON_25-0009_- _PC_Staff_Report_- _DRAFT_jbada.pdf
▢ Ordinance ZON 25-0009	Ordinance	5/29/2025	ZON_25-0009_- _Ordinance_- _final_jbada.pdf



Staff Report and Recommendations for ZON 25-0009

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 / Applicant Information:

Owner: Clay County Board of County Commissioners

Phone: 904-278-4705

Email:

claycountyplanningandzoning@claycountygov.com

Property Information

Parcel ID: 26-05-24-006634-001-00

Current Zoning: AR

Proposed Zoning: PO-2

Commission District: 5, Comm. Burke

Parcel Address: 2970 Black Creek Drive

Current Land Use: LA RC

Total Acres: 5.3 +/- acre portion of the parcel

Acres affected by Zoning change: 5.3 +/- acres

Planning District: Lake Asbury/Penney Farms

Introduction:

This is a Staff initiated application for the rezoning of a single parcel of land (5.3+/- acres) from Agricultural Residential (AR) to Public Ownership (PO-2). This parcel of land was chosen for this passive amenity as it was a repetitive loss property and through a grant sponsored by FEMA, the County was able to acquire the lot, demolish the dwelling and structures that sat on it and return the land to open space. One of the requirements of the grant was that there could be no habitable structures on the property.

The County will own the facility and maintain it and the SJRWMD will design and construct the facility. The stipulation in the grant program is that the subject lands must be used for open space in perpetuity. The zoning change is appropriate for the County owned facility in the Lake Asbury Rural Residential Community. All Public Ownership (PO) and Private Services (PS) zoning districts are considered consistent and compatible with the Lake Asbury Rural Community (LARC) Land Use designation. One of the principles of the LARC is to create walkability, by creating a park within walking distance of residential communities it eliminates the amount of vehicles on the roads and allows for a safer connection with the natural environment. The Plan says 'to create a sense of neighborhood identity, neighborhoods within this category shall have primary neighborhood parks as well as pocket parks where neighbors can interact.' The intended use of the project is for a public boardwalk and dock, for the purpose of a non-motorized boat launch. E.g. kayaks, canoes, paddleboards, etc.

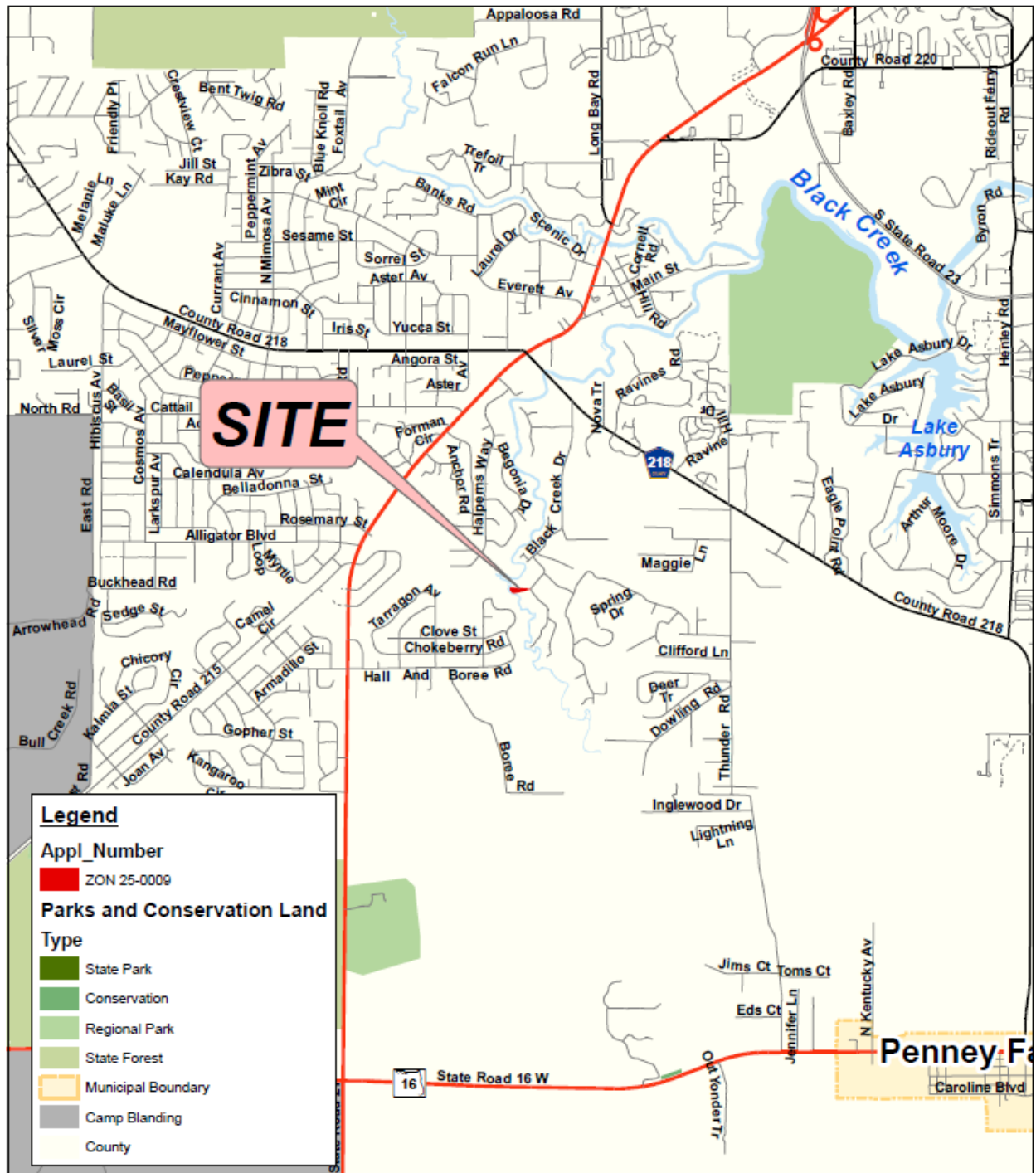
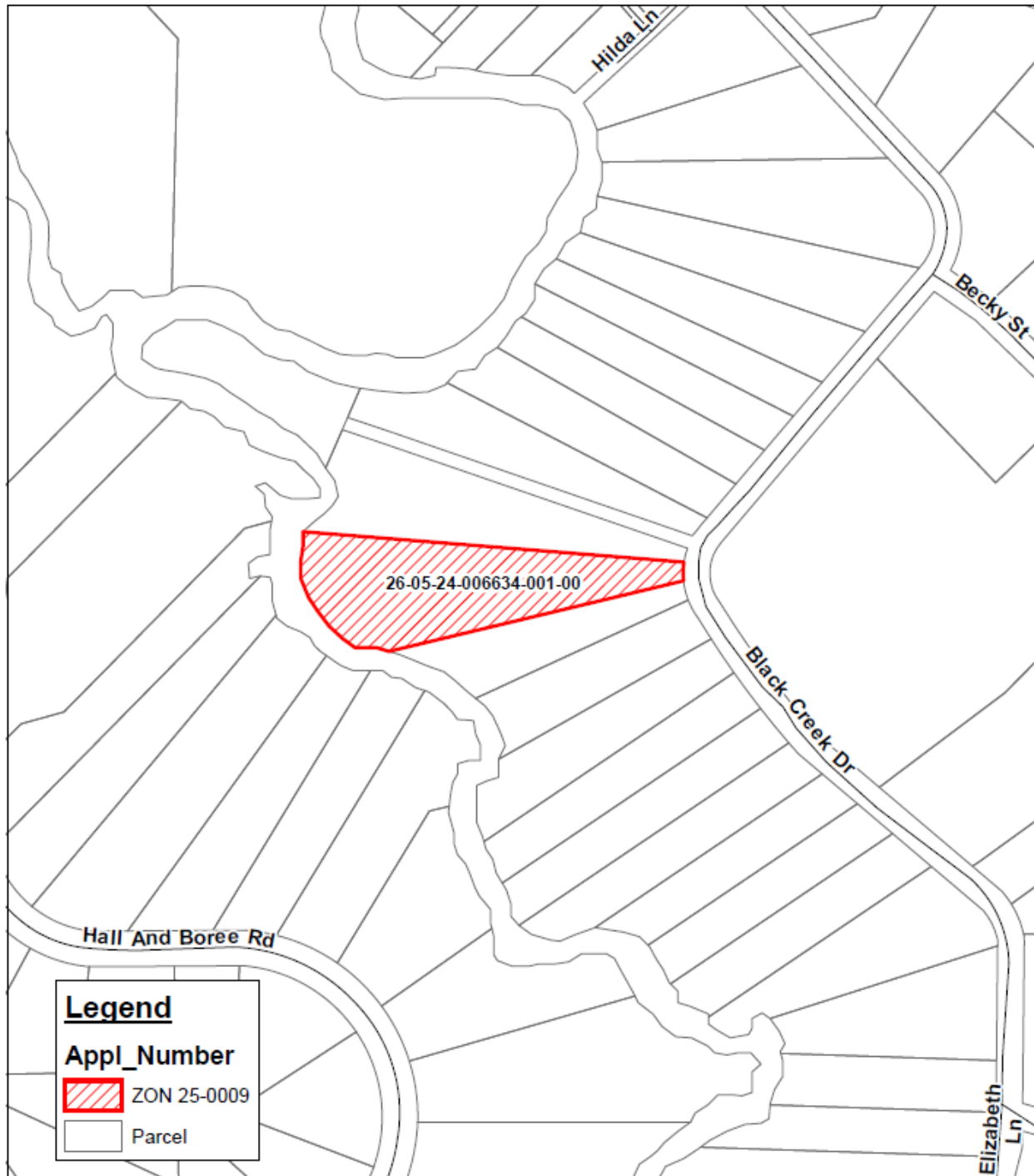


Figure 1 – Location Map

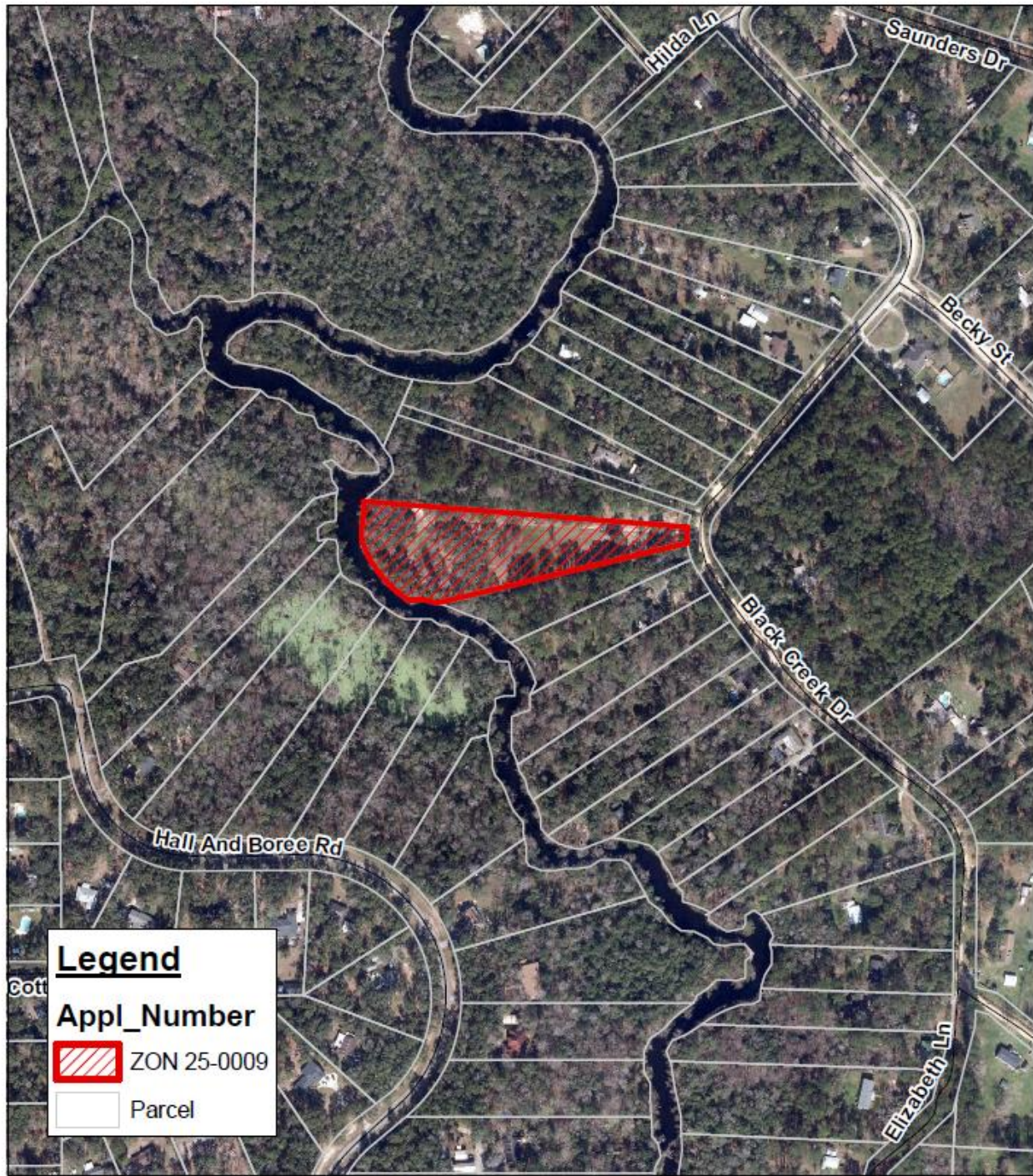
Figure 2 – Parcel Map



0 145 290 580 Feet

Parcel Map
ZON 25-0009





0 170 340 680 Feet

**Rezoning: ZON 25-0009
from LA RC to PO-2**



34

35

Figure 3 - Aerial Photo

Figure 4 – Existing Zoning Map

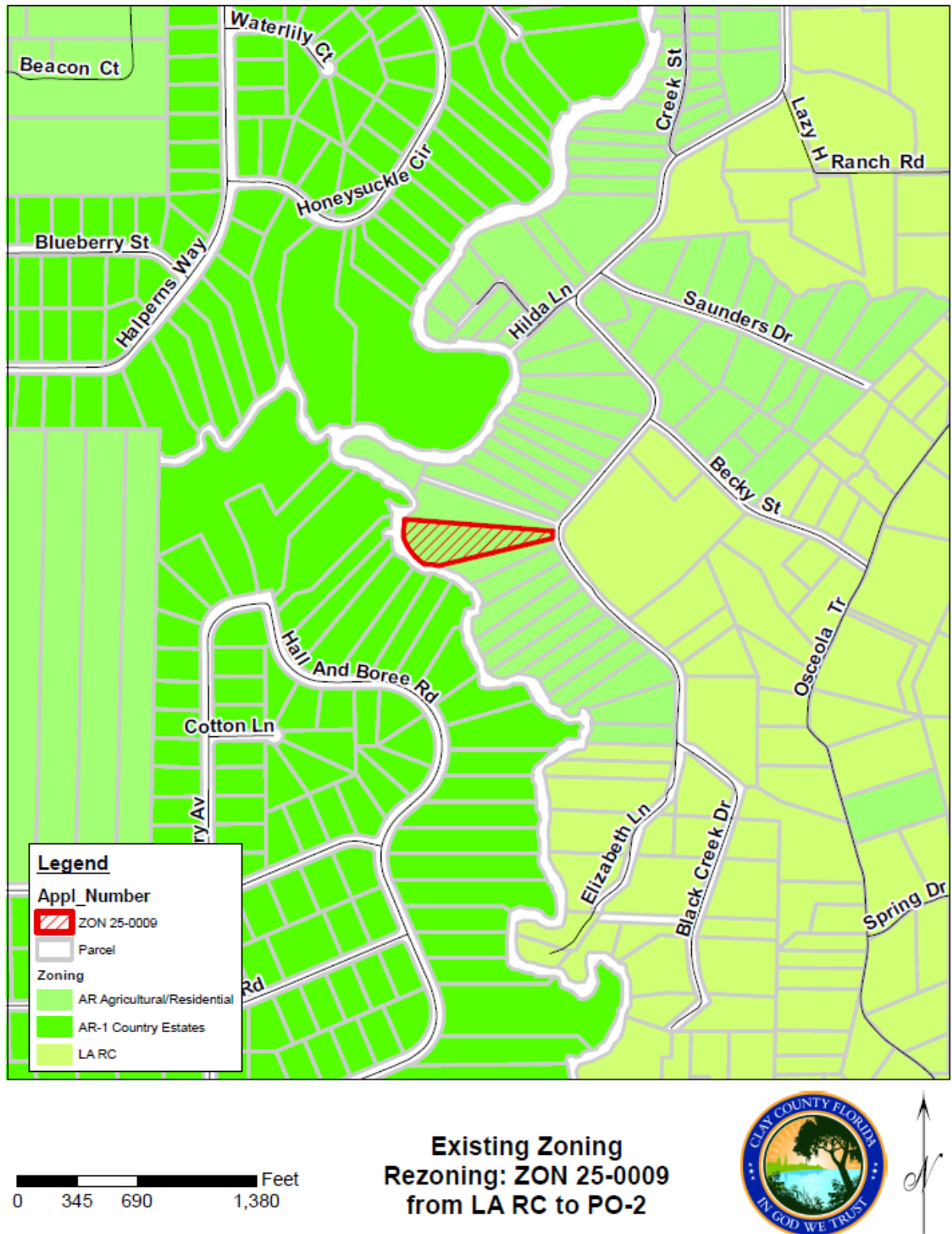
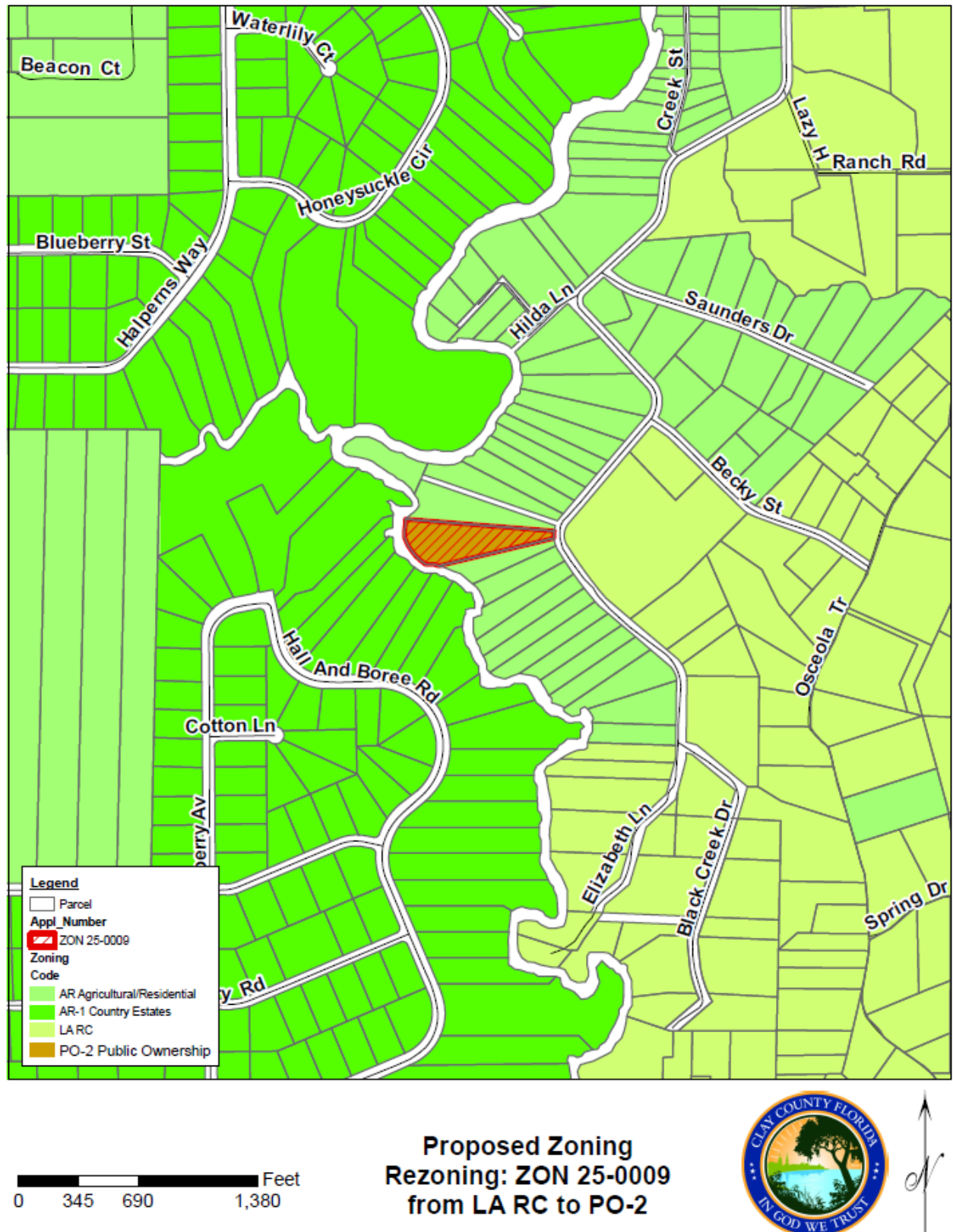


Figure 5 – Proposed Zoning Map



Analysis of Surrounding Uses

The proposed rezoning would change the acreage of a single parcel of land (5.338 acres) from Agricultural/Residential (AR) to Public Ownership – 2 (PO-2). This change would be in keeping with the Lake Asbury master plan community:

	Future Land Use	Zoning District
North	Lake Asbury Rural Community (LA-RC)	Agricultural/Residential (AR)
South	Lake Asbury Rural Community (LA-RC)	Agricultural/Residential (AR)
East	Lake Asbury Rural Community (LA-RC)	Lake Asbury Rural Community (LA-RC)
West	Rural Residential (RR)	Agricultural/Residential (AR-1)

Relevant Clay County 2045 Comprehensive Plan Policies

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

LA FLU Policy 1.4.8 Rural Community (LA RC)

1) Land Use

The Rural Community (RC) land use category comprises approximately 11,367 acres within the LAMPA. Development within this category will be characterized predominantly by single-family homes on large lots, served by well and septic tank or by clustered subdivisions which preserve large expanses of environmental open space.

FLU POLICY 1.1.4 The County shall utilize a variety of techniques to protect environmentally sensitive lands as specified in the Conservation Element.

CON POLICY 1.5.3 The County shall utilize other techniques to protect environmentally sensitive lands, including tax incentives, cluster development; TDRs, conservation easements and fee-simple acquisition.

Land Development Code Language:

Lake Asbury Rural Community (LA RC) Land Use: The Base Zoning is LA RC, permitting single family as a permitted use. All development must submit site plans for review to ensure conformance with design standards, and shall be bound by such site plans. Other Zoning Districts permitted in the LA RC Land Use (consistent Zoning Districts) are PO-1, PO-2, PO-3, PO-4, PS-1, PS-2, PS-3, PS-4, and PS-5. Development within this category will be characterized predominantly by single-family homes on large lots, served by well and septic tank or by clustered subdivisions which preserve large expanses of environmental open space.

66 Analysis of Proposed Rezoning Amendment

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

69
70 (a) Whether the proposed change will create an isolated district unrelated to or incompatible with
71 adjacent and nearby districts;

72 *Staff Finding: This application is for a rezoning to create a public amenity at no or little cost to the tax payer.*
73 *Typically, Public Ownership zoning districts are isolated districts as a government entity is not in the business*
74 *of acquiring land. The zoning change is necessary as the County owns the lot and would like to create a public*
75 *amenity with it, as the property no longer can contain housing.*

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

78 *Staff Finding: The elimination of an on-off ramp connecting Sandridge Road to the First Coast Expressway*
79 *at this location has resulted in a district boundary which is no longer centered around a functional intersection*
80 *as intended by the Comprehensive Plan.*

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

83 *Staff Finding: At the time the property was zoned the FEMA flood rules were not as they are today. The*
84 *property suffered repetitive losses based on the flooding of the property as the property is located in the AE*
85 *flood zone and is in a floodway. Therefore, the proposed re-zoning of the property should be appropriate as*
86 *a home cannot be built on the lot.*

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

88 *Staff Finding: As discussed, a condition of the grant was that the property remain as open space in*
89 *perpetuity, therefore the property cannot be used as a residential lot.*

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

92 *Staff Finding: Creating a public park within walking distance of a rural residential community is consistent*
93 *with the policies within the Lake Asbury Master Plan.*

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

96 *Staff Finding: Maintaining the land within the AR zoning district does not serve a legitimate public purpose*
97 *as the parcel, based on FEMA regulations, can no longer be used as a residential property and must remain*
98 *as open space in perpetuity.*

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

101 *Staff Finding: The proposed rezoning will not be inconsistent with the surround land use.*

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

104 *Staff Finding: There is a need to additional parklands with access to the water within the Lake Asbury*
105 *community.*

106

107 **Recommendation**

108 The Lake Asbury Community Advisory Committee heard the item on May 8, 2025 and provided a
109 recommendation of approval 9-0.

110 Based on the analysis in the report, Staff recommends approval of ZON 25-0009.

111

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY FLORIDA, PURSUANT TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED PURSUANT TO ORDINANCE 93-16, AS AMENDED, PROVIDING FOR THE REZONING OF A SINGLE PARCEL (TAX PARCEL IDENTIFICATION # 26-05-24-006634-001-00), TOTALING APPROXIMATELY 5.34 ACRES, FROM LAKE ASBURY RURAL COMMUNITY (LA RC) TO PUBLIC OWNERSHIP (PO2); PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application ZON 25-0009, submitted by Clay County Planning & Zoning, seeks to rezone certain real property totaling 5.34 acres (tax parcel identification # 26-05-24-006634-001-00) (the Property) described in Exhibit “A-1”, and depicted in Exhibit “A-2”.

Section 2. The Board of County Commissioners approves the rezoning request. The zoning of the Property is hereby changed from the present zoning classification of Lake Asbury Rural Community (LA RC) to Public Ownership (PO2).

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

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

Section 5. This Ordinance shall become effective as provided by law.

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

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Betsy Condon, Its Chairman

ATTEST:

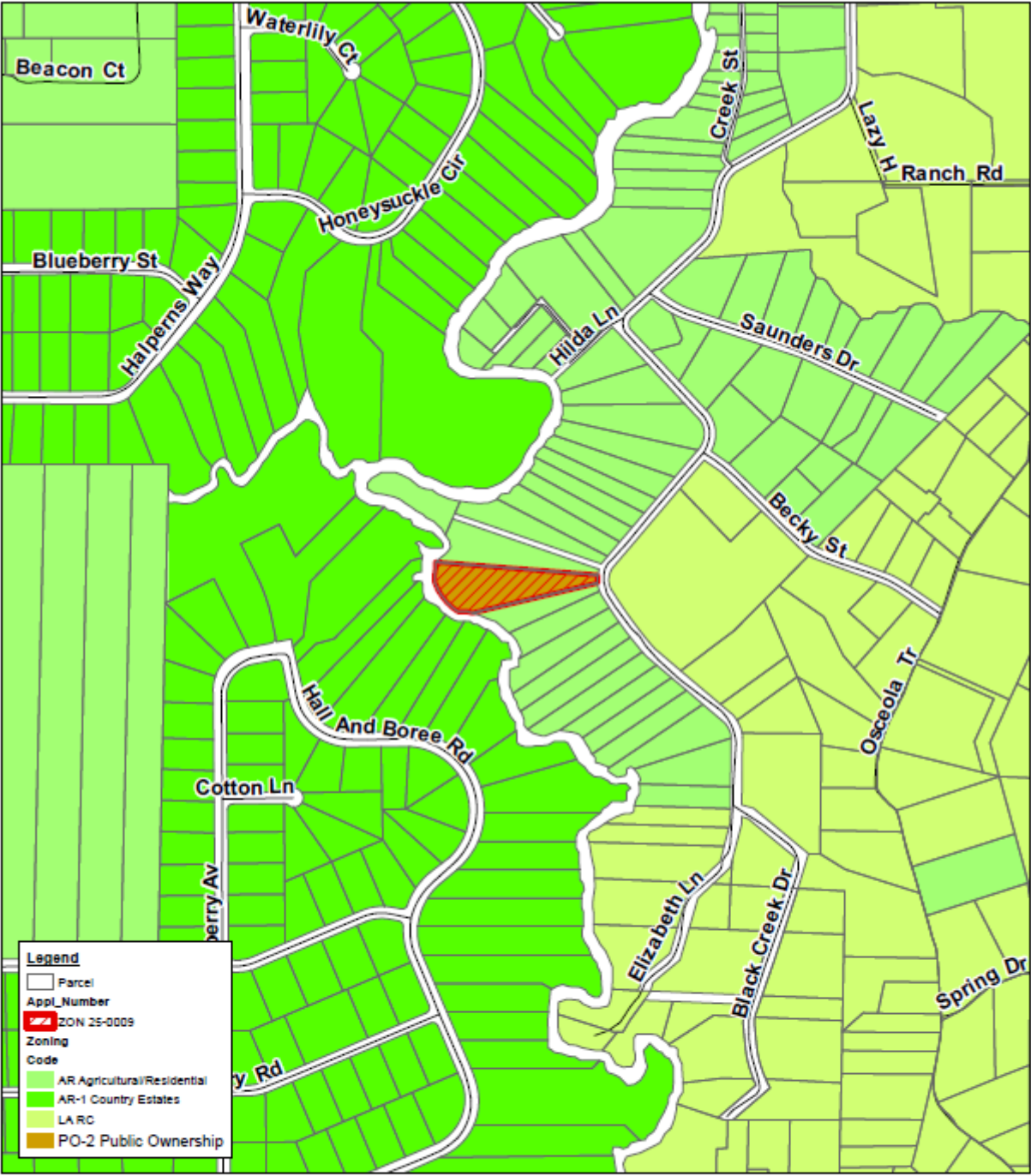
By: _____
Tara S. Green,
Clay County Clerk of Court and Comptroller
Ex Officio Clerk to the Board

Exhibit “A-1”

EXHIBIT "A"

LOT 13, AND A PORTION OF LOT 14, BLACK CREEK SHORES, CLAY COUNTY, FLORIDA, ACCORDING TO PLAT BOOK 5, PAGES 25 AND 26 OF THE PUBLIC RECORDS OF SAID COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 13, THENCE ON THE WESTERLY LINE OF BLACK CREEK DRIVE ACCORDING TO PLAT BOOK 5, PAGES 25 AND 26 OF SAID PUBLIC RECORDS AND ON THE ARC OF A CURVE CONCAVE TO THE EASTERLY AND HAVING A RADIUS OF 120.53 FEET RUN A CHORD DISTANCE OF 30.94 FEET TO THE NORTHEAST CORNER OF SAID LOT 13; THE BEARING OF SAID CHORD BEING NORTH 12°59'37" WEST, THENCE CONTINUE ON SAID ARC A CHORD DISTANCE OF 15.50 FEET; THE BEARING OF LAST SAID CHORD BEING NORTH 01°55'04" WEST, THENCE NORTH 85°11'11" WEST 835 FEET, MORE OR LESS, TO THE WATERS OF THE SOUTH FORK OF BLACK CREEK, THENCE ALONG SAID WATERS IN A GENERAL SOUTHEASTERLY DIRECTION 475 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF SAID LOT 13; THENCE ON LAST SAID LINE NORTH 74°46'50" EAST 599 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Exhibit "A-2"



0 345 690 1,380 Feet

**Proposed Zoning
Rezoning: ZON 25-0009
from LA RC to PO-2**





Agenda Item
PLANNING COMMISSION

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

TO: Planning Commission

DATE: 4/28/2025

FROM: Jenni Bryla, AICP, Zoning
Chief

SUBJECT:

A. COMP 25-0009

This application is a FLUM Amendment to change 10.01 acres from Rural Residential (RR) to Urban Core 10 (UC-10).

B. ZON 25-0010

This application is a Rezoning to change from Agricultural Residential (AR) to Multi-family Residential District (RD).

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

The subject parcel is located east side of the CSX active railroad tracks and on the south side of Russell Road/CR 209. Two parcels are undeveloped land and the 3rd parcel has one mobile home located on it.

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Applicant

Owner: Donnie & Janice Walker

Agent: Colin Groff (Black Creek Engineering)

ATTACHMENTS:

	Description	Type	Upload Date	File Name
▢	Staff Report for COMP 25-0009	Cover Memo	5/29/2025	COMP_25-0009 - _SR - _SS-CPA - _Final_jbada.pdf
▢	Ordinance COMP 25-0009	Ordinance	5/29/2025	COMP_25-0009- ORD - sscpa - DRAFT_jbada.pdf
▢	Staff Report for COMP 25-0009	Cover Memo	5/29/2025	COMP_25-0009 - _SR - _SS-CPA - _Final_jbada.pdf
▢	Staff Report for ZON 25-0010	Cover Memo	5/29/2025	ZON_25-0010 - _PC_Staff_Report - _finalada.pdf
▢	Ordinance ZON 25-0010	Ordinance	5/29/2025	ZON_25-0010- _Ordinance - _final_jbada.pdf



Staff Report and Recommendations for COMP 25-0009

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 / Applicant Information:

Owner: Donnie & Janice Walker
Agent: Colin Groff (Black Creek Engineering)
Phone: (904) 759-8930
Email: cdgroff@bellsouth.net

Property Information

Parcel IDs; 29-05-26-014446-001-03 & 32-05-26-014459-000-00 and 29-05-26-014443-001-00	Parcel Address: south side of CR 209/Russell Road, adjacent to the railroad tracks, west of Highway 17
Current Land Use: RR (Rural Residential)	Current Zoning: AR (Agricultural Residential)
Proposed Land Use: UC-10 (Urban Core 10)	Total Acres: 10.01 +/- acres
Commission District: 5, Comm. Burke	Planning District: The Springs

Introduction:

This application is a Small-Scale Comprehensive Plan Amendment to the 2045 Future Land Use Map (FLUM). The application would change the Land Use on three parcels of land from RR (Rural Residential) to UC-10 (Urban Core 10). The Applicant is proposing 98 townhome units.

Exhibit A

The subject parcel is located east side of the CSX active railroad tracks and on the south side of Russell Road/CR 209. Two parcels are undeveloped land and the 3rd parcel has one mobile home located on it.

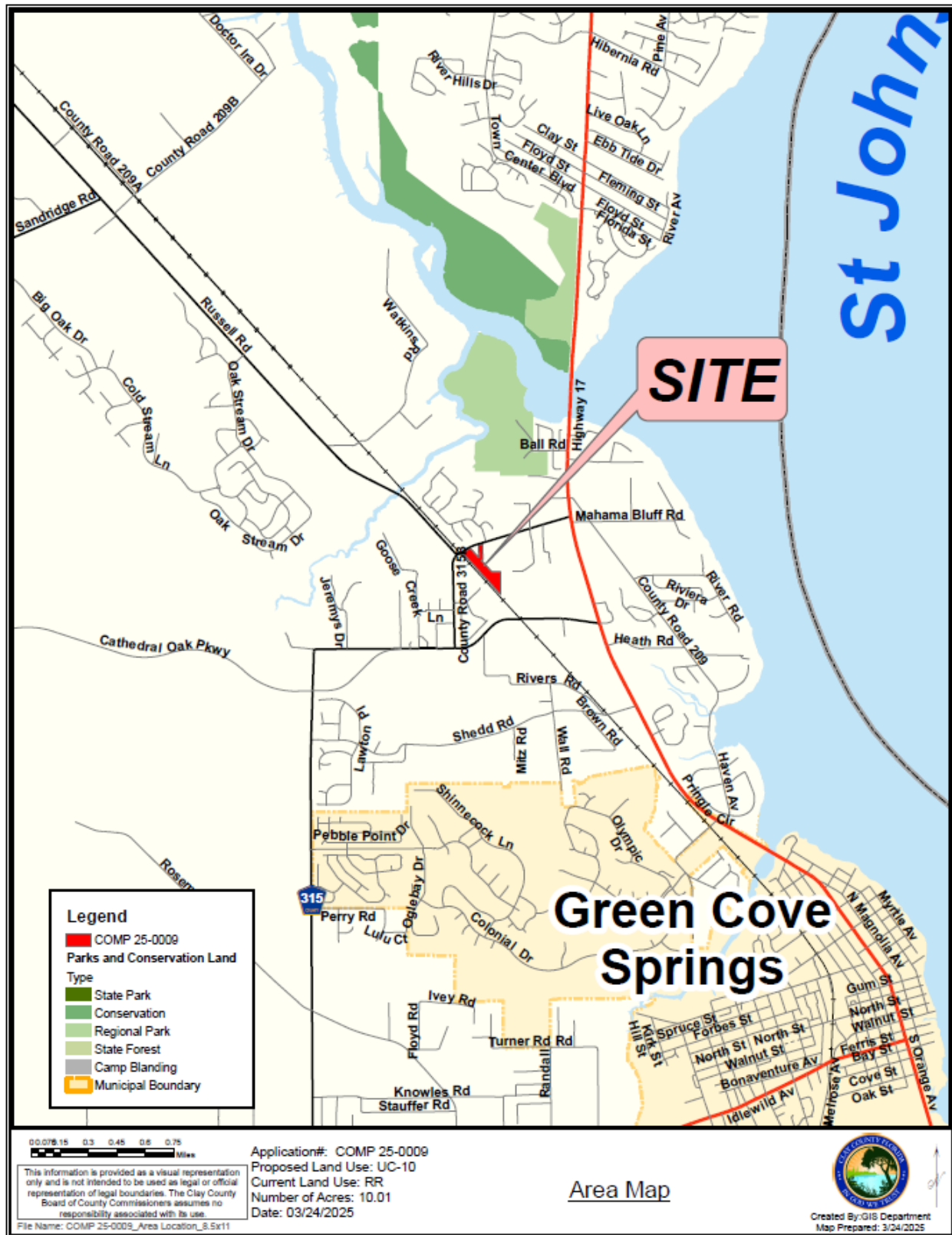
The proposed site plan for the request is presented in Exhibit A.

A companion Rezoning application from AR to RD-4 follows this comprehensive plan amendment.



28
29

Figure 1 – Location Map



30

Figure 2 – Parcel Map

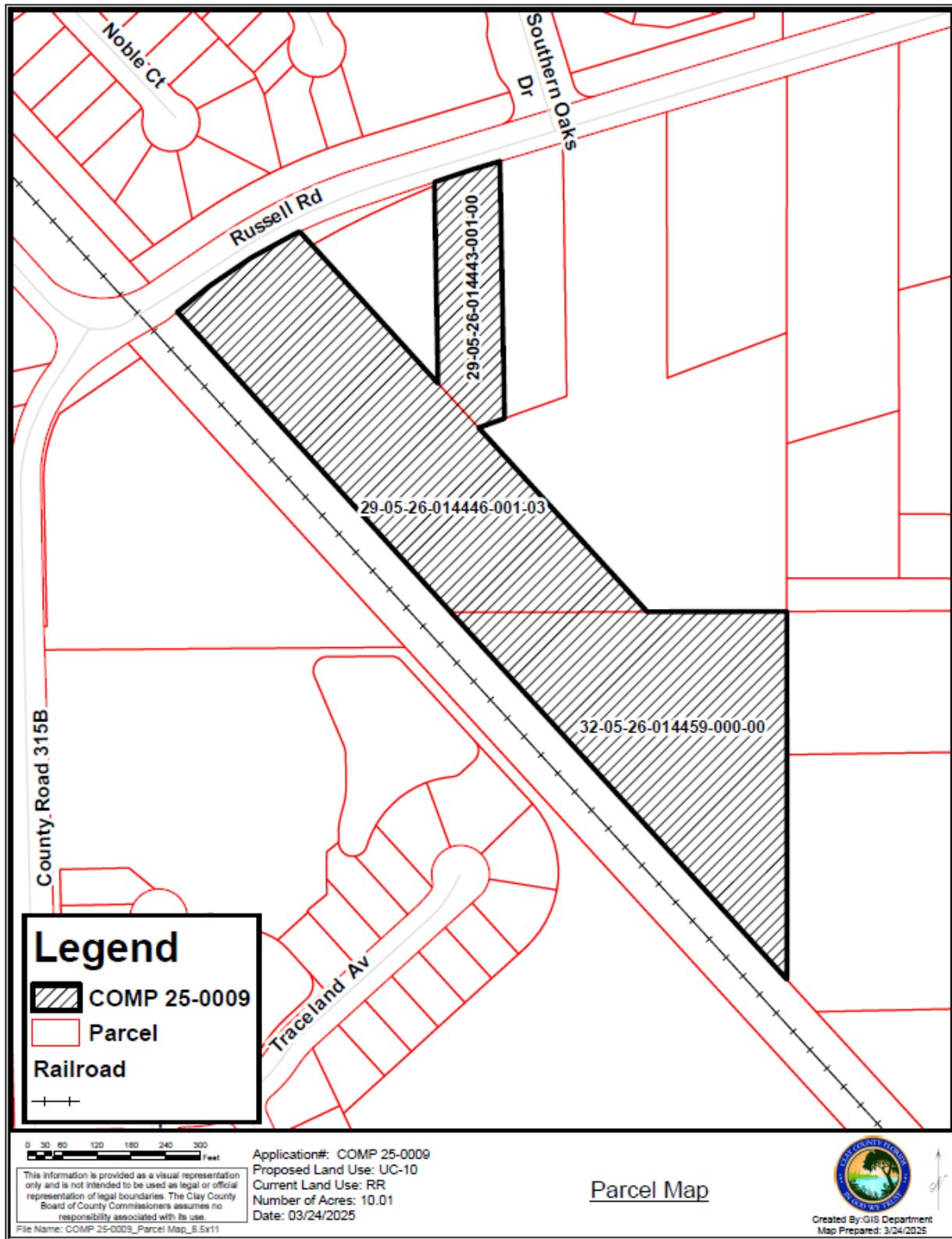


Figure 3 - Aerial Photo

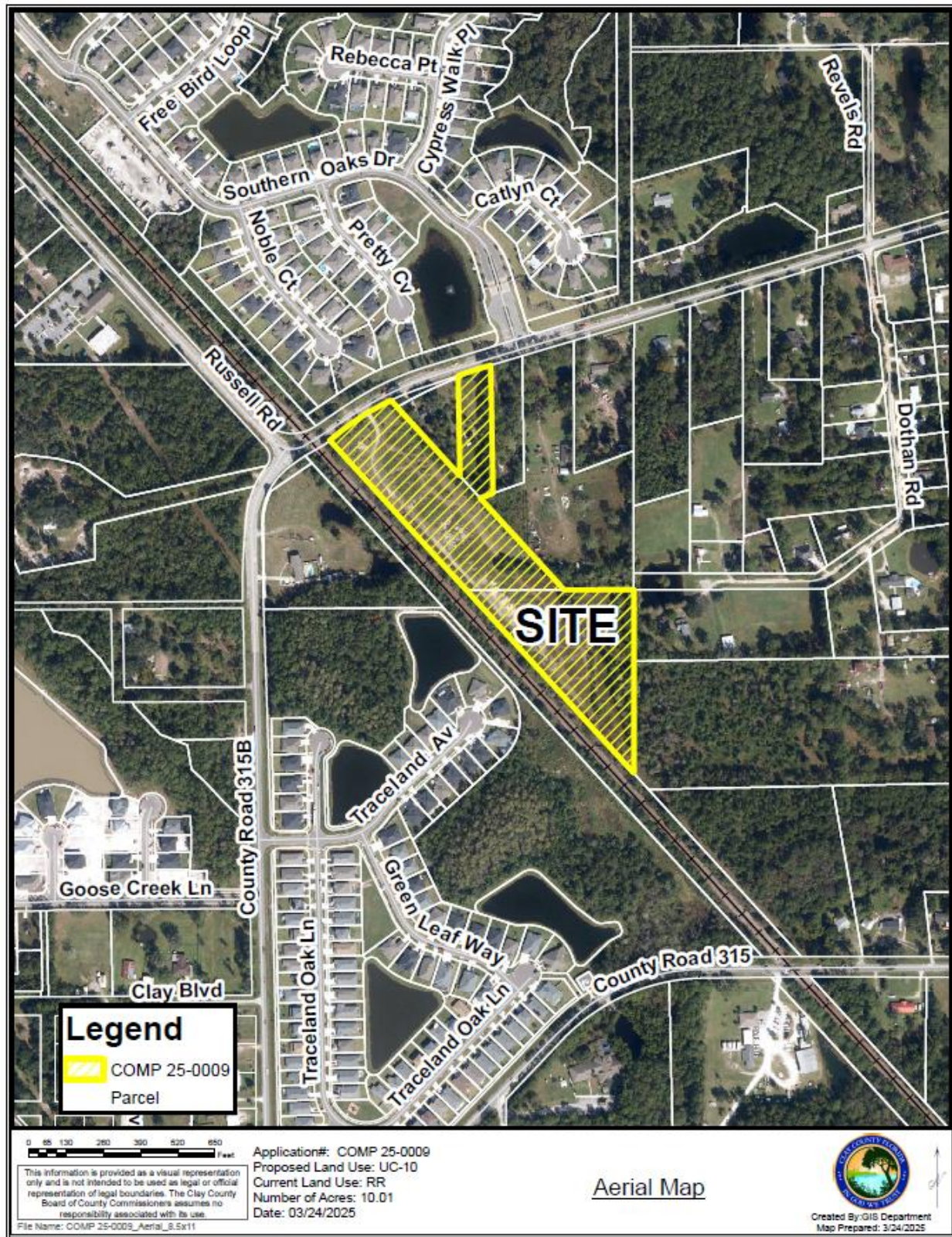


Figure 4 – Existing Future Land Use Designation Map

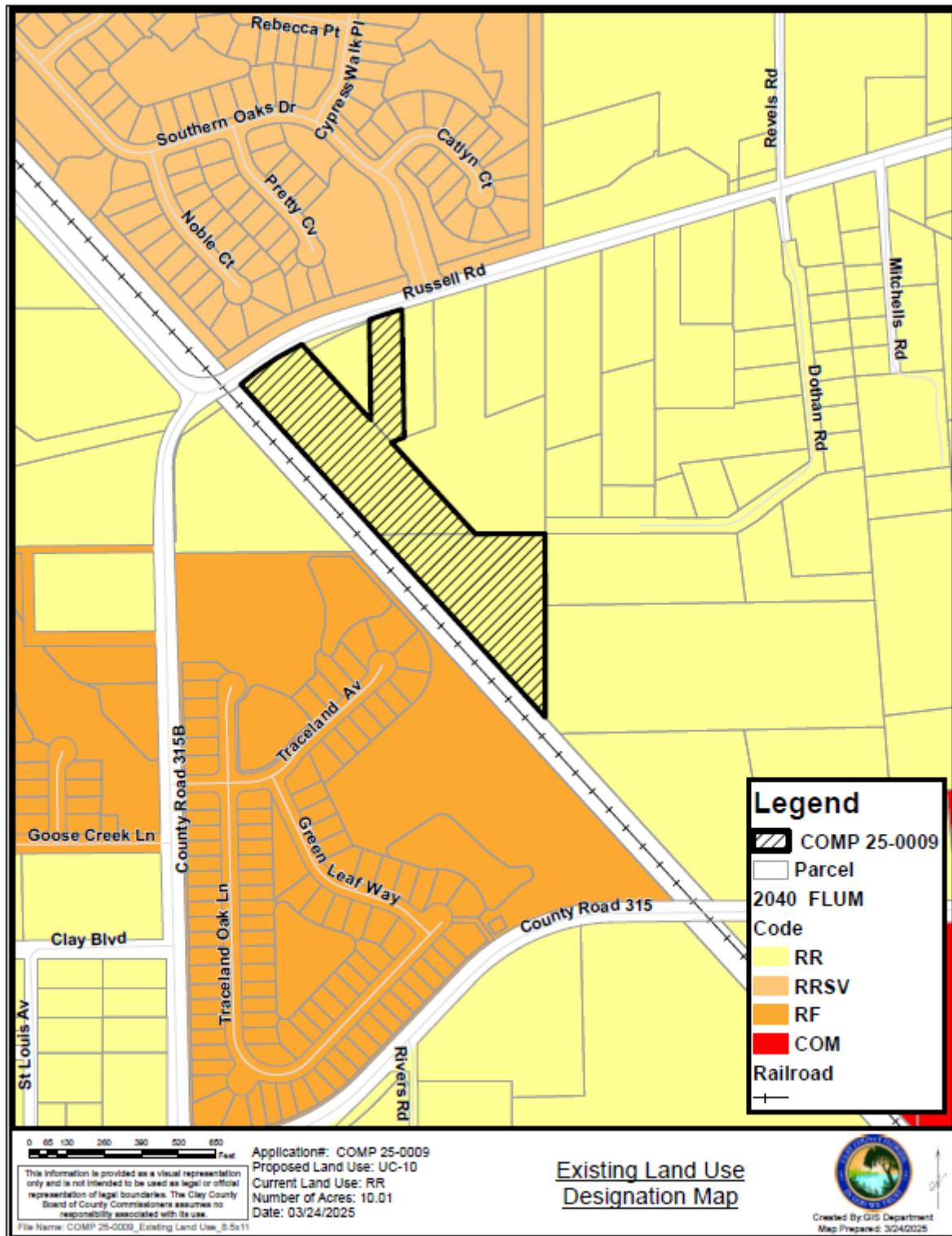


Figure 5 – Proposed Future Land Use Designation Map

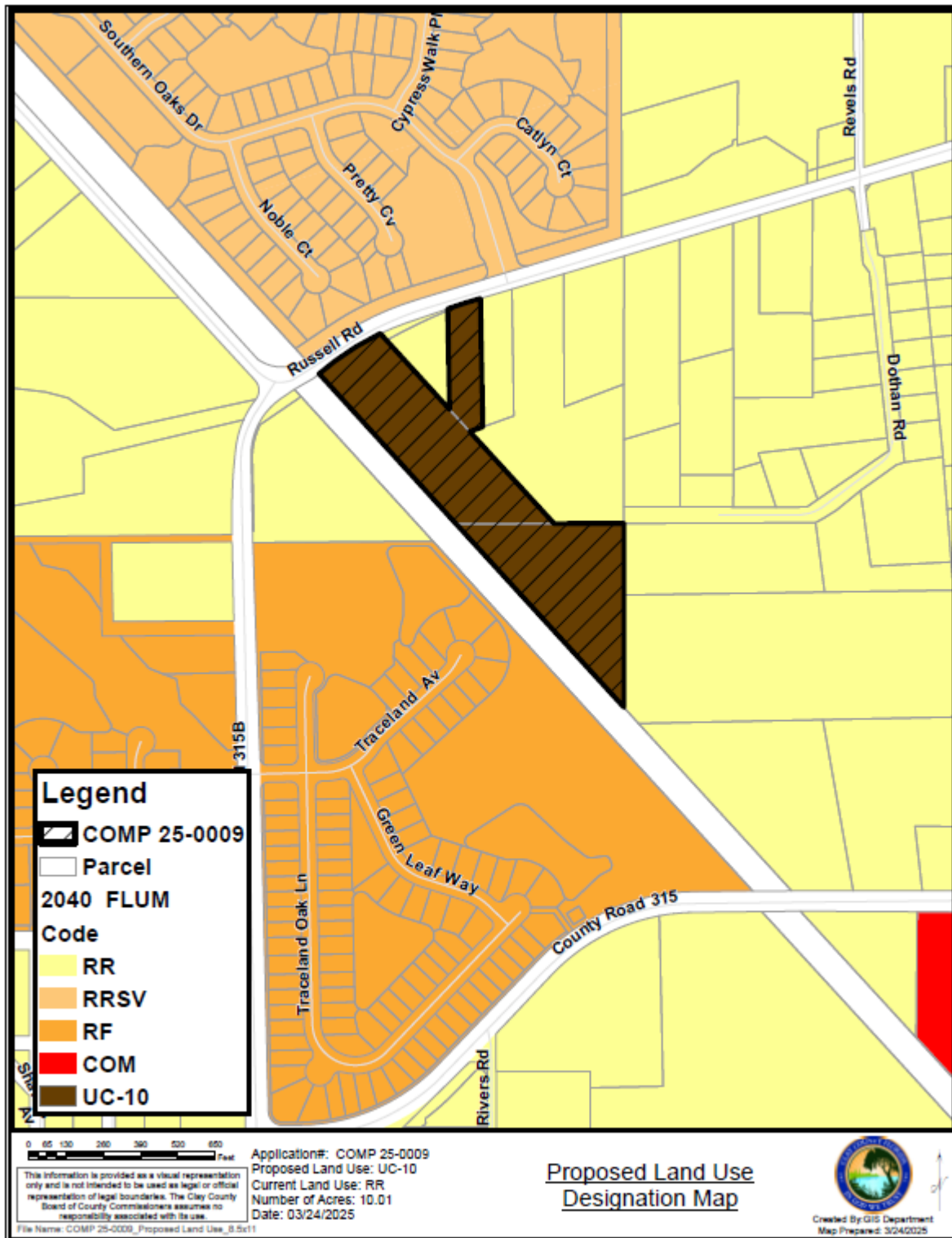
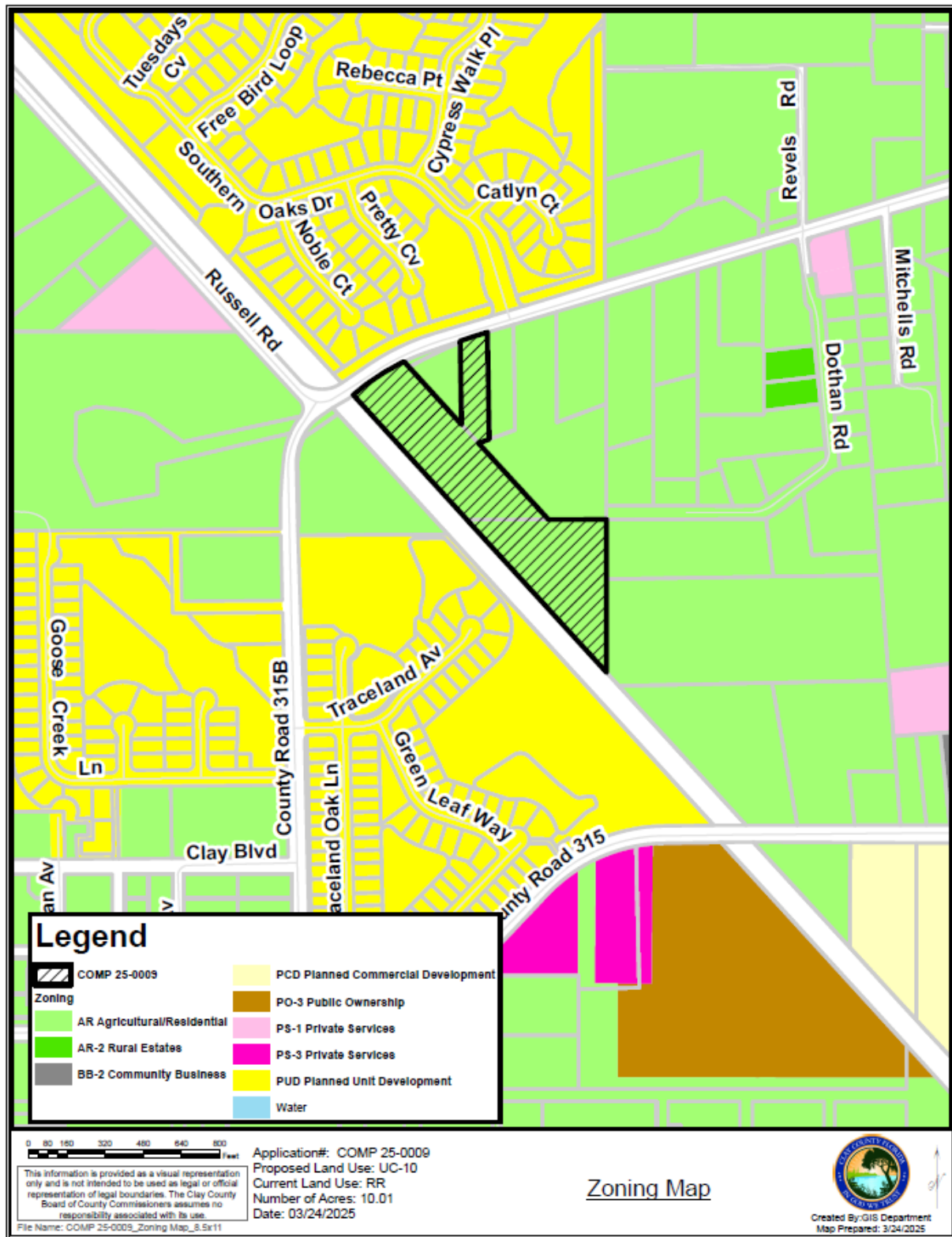


Figure 6 – Zoning Map



43

44 **Availability of Services**

45 **Summary of Application**

46

COMP 25-0009	Acreage	Existing Land Use Category	Existing Maximum Intensity	Proposed Land Use Category	Proposed Maximum Intensity	Net Increase in Maximum Density
Tax parcel: 014446-001-03, 014459-000-00, 014443-001-00	10.01 acres	(RR) Existing/ Rural Residential (RR)	1 du/5 net ac (max. 1 du) 1 du/1 net ac (with points and clustering) (max. 7 du)	UC-10 (Urban Core - 10)	10 du/gross ac	Increase 88 du

47

48 Traffic Facilities:

49 The proposed project has direct access on Russell Road / 209 which is considered a local collector road
50 which is in the process of widening to 4 lanes. Trip Generation calculated as: Single-Family Attached
51 Housing (ITE 215) P.M. Peak Hour of Generator Weekday

52 Average Rate of Vehicle Trips per dwelling unit = 7.20

53 Maximum Number of units for subject parcel(s) = 100(maximum of 10 du/acre in UC-10)

54 Total PM Peak Hour Trips for this project = 720 trips (7.20 x 100 du.)

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

56 Schools:

57 The Applicant would have to secure student stations with the school board at the time of site plan review.
58 The closest school to the subject property is more than two miles away.

59

60 Recreation:

61 The proposed site plan includes a recreational component.

62

63 Water and Wastewater:

64 Water and sewer service will need to be acquired for any proposed development on the parcel. The parcel is
65 located within the Urban Service Area boundary.

66

67 Stormwater/Drainage:

68 Stormwater management for any new construction will need to meet County and Water Management District
69 standards. The proposed project includes a stormwater pond that will be evaluated by the Engineering at the
70 time of permitting.

71 Solid Waste:

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

73

74 **Land Suitability:**

75 Soils:

76 See Figure 7.

77 Flood Plain:

78 Development impacts within any floodplain area on the subject parcel will be required to be mitigated. See
79 Figure 8.

80 Topography:

81 The subject parcel is relatively flat with drainage moving from east to west. See Figure 9.

82 Regionally Significant Habitat:

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

85 Historic Resources:

86 There is evidence of historic resources just off the subject property. Should any artifacts be found in the
87 course of the project development, all work should stop to evaluate the findings. See Figure 11.

88 Compatibility with Military Installations:

89 The subject property is not located near Camp Blanding.

90

91 **Analysis of Surrounding Uses**

92 The proposed future land use amendment would change the total parcel acreage (10.1 acres) from RR (Rural
93 Residential) to UC-10 (Urban Community - 10). This change would be inconsistent with the development in
94 the immediate area as shown in the table below:

	Future Land Use	Zoning District
North	Rural Reserve	PUD (Planned Unit Development)

South	Rural Residential and Rural Fringe	PUD (Planned Unit Development) and AR (Agricultural Residential)
East	Rural Residential	AR (Agricultural Residential)
West	Rural Residential	AR (Agricultural Residential)

Figure 7 – Soil Map

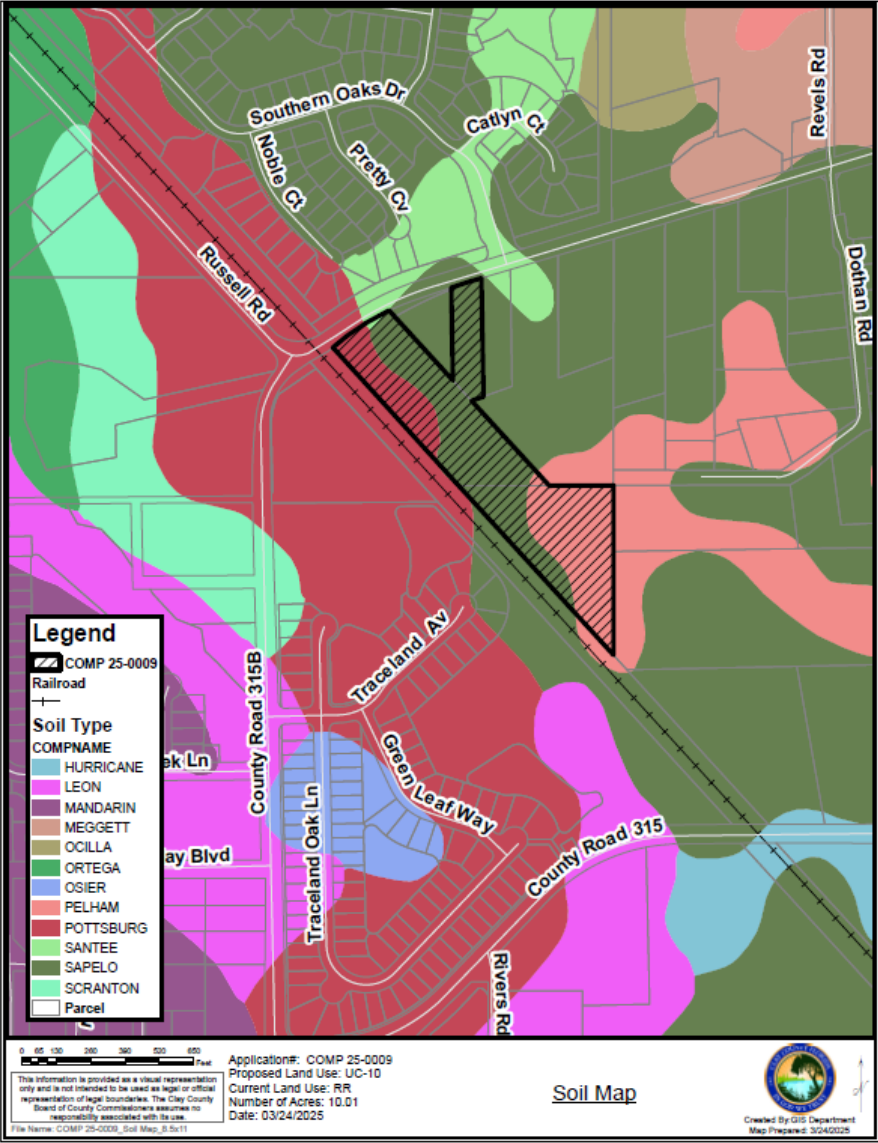


Figure 8 – Flood Zone Map

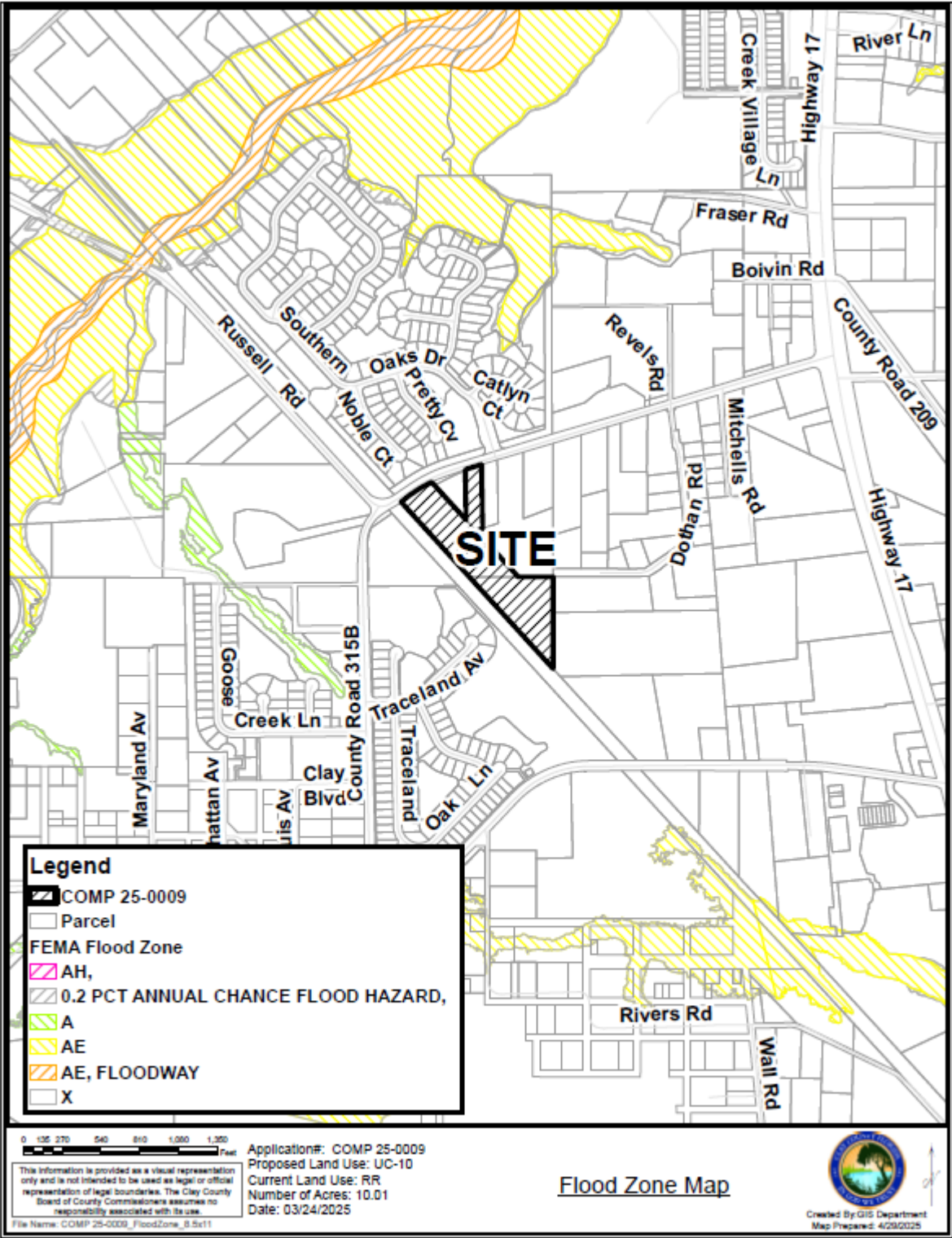


Figure 9 – Topography Map

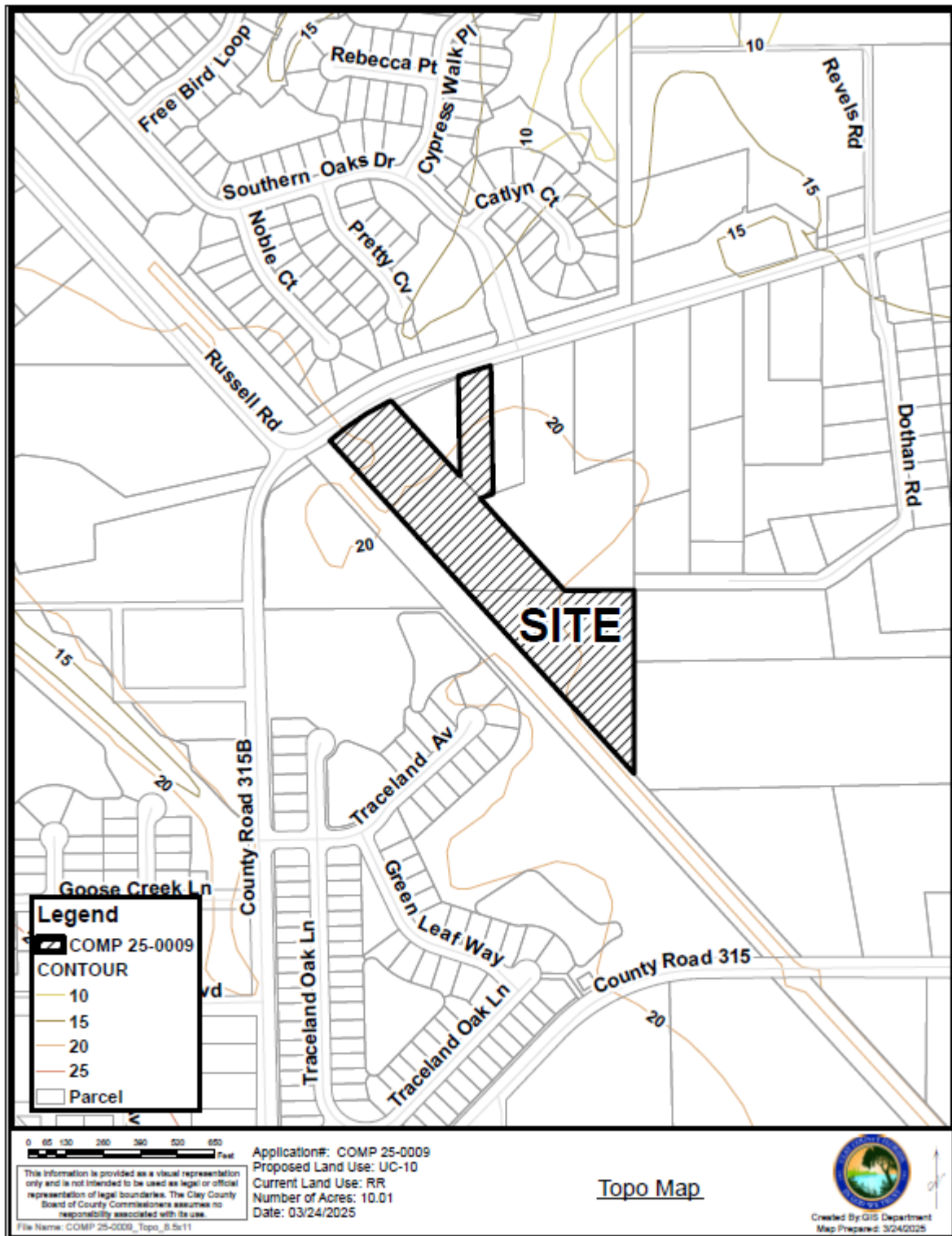


Figure 10 – Habitat Value Map

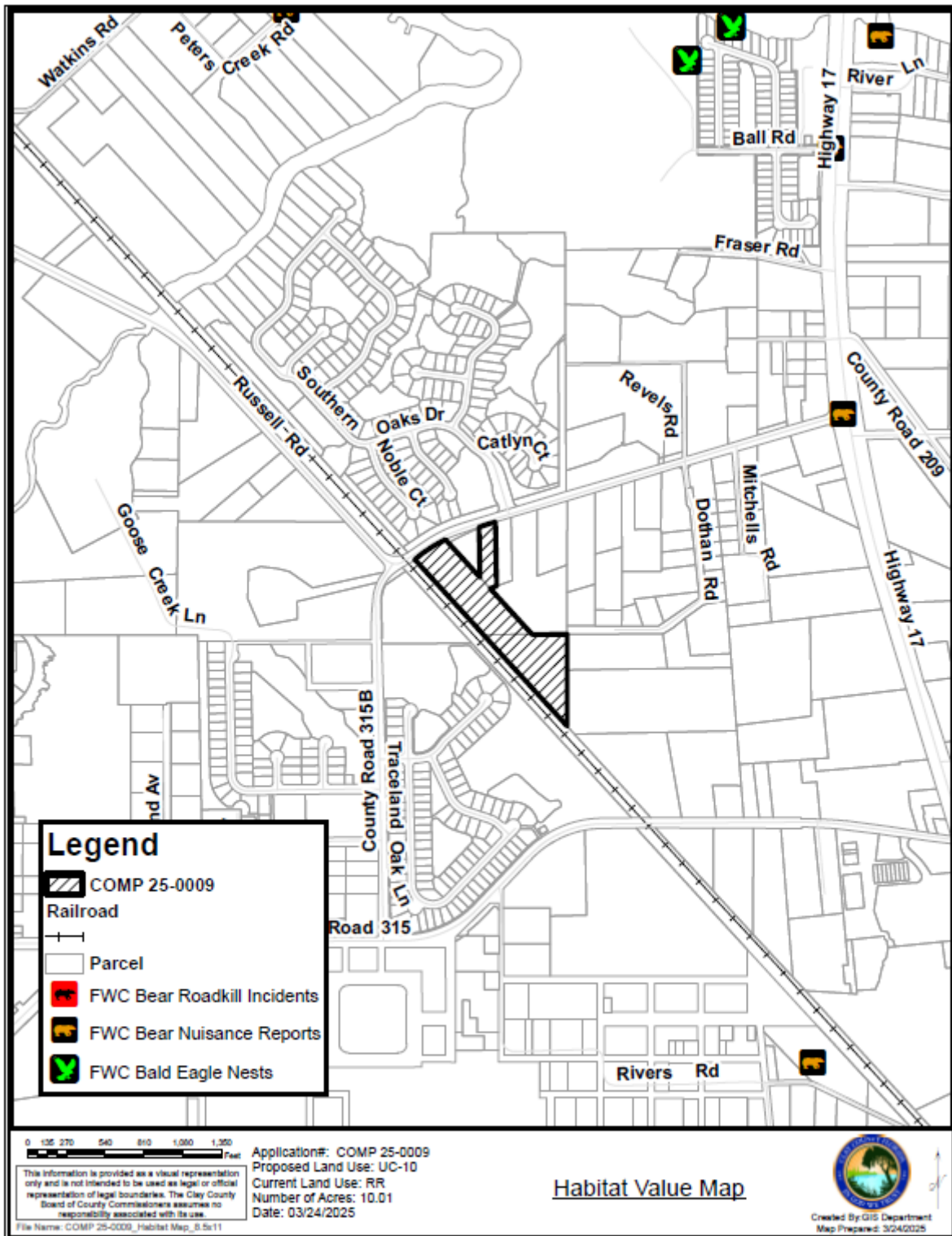
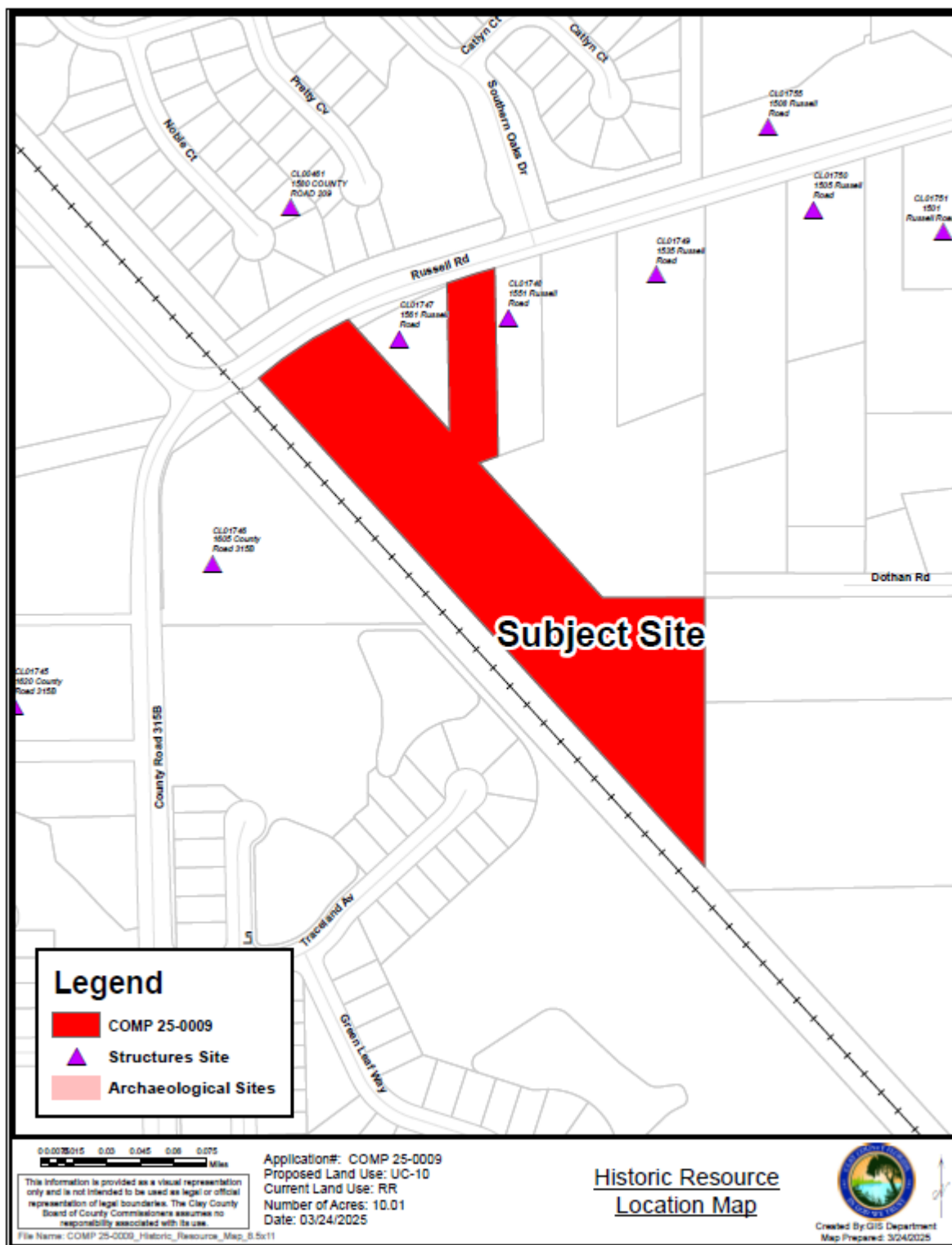


Figure 11 - Historical Resources



Relevant Clay County 2040 Comprehensive Plan Policies

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

FLU Policy 1.4.1.7 Urban Core (10)

Urban Core (10) - "UC-10" (Urban): This designation is intended for land within the core of urban service areas and accessible to employment centers. Densities in this area shall range from a minimum of two units per net acre and a maximum of ten units per net acre. This classification includes single-family detached and attached, cluster and zero lot line dwellings, and multi-family housing.

This request is not within the "core" of the urban service area, although it is inside the area. It is located on what would be considered the edge of the boundary.

Areas within this category may be suitable for a higher intensity use, upward to a maximum of ten units per net acres. Densities from seven to ten units per net acre may be approved if the location meets required points and the development provides central water and sewer system.

The development does have adequate points to allow for higher densities based on infrastructure present in the area, the project however does not address the preservation of open space and natural resources.

Review of specific densities shall be directed toward preserving the stability and integrity of established residential development and toward providing equitable treatment of lands with similar characteristics. Design techniques of landscaping, screening and buffering shall be employed to assure a smooth transition in residential structure types and densities

FLU POLICY 1.4.4

In order to provide for additional residential densities in the Agricultural/Residential and Rural Residential areas while maintaining the rural character and availability of agricultural uses, developments may occur at the higher of the two densities stipulated in this Element, provided that such developments are clustered contiguously in a development tract on a portion of the parent tract, subject to the following general requirements:

- 1) The minimum size of such development tract is shown in 2) following:
- 2) All subdivisions of land must retain permanent open space within the parent tract as follows:

Requirement	Land Use			
	Agriculture/Residential		Rural Residential	
Subdivision Size	1-20 Lots	Over 20 Lots	1-20 Lots	Over 20 Lots
Minimum Size of Development Tract	10 Acres	105 Acres	5 Acres	21 Acres
Minimum Open Space Requirement (see c. below)	50%	50%	35%	35%
Minimum Lot Size Without Central Water and Sewer	1 Acre	1 Acre	0.5 Acre	0.5 Acre

* The minimum lot size for residential development of lands within ½ mile of Outstanding Florida Water (OFW) shall be one (1) acre unless served by central water and/or sewer.

- 5) The proposed cluster development must have the following characteristics:
- a) The development shall be located on suitable upland away from environmentally sensitive land, including wetlands and 100-year floodplains, and buffered from agricultural use. Such environmentally sensitive land must be excluded from calculations of the size of the base development tract and identified wetlands shall be subject to the criteria established for the Conservation designation on the Future Land Use Map.
 - b) Minimum 50-foot perimeter buffers shall be provided to ensure compatibility of the development activity with adjacent uses. These buffers must include preserved or planted vegetation that provides an effective visual screen (at least 85% opacity) from rights-of-way and adjacent properties. If such a buffer is planted or supplemented, the 85% opacity standard must be met within three years after planting. Buffers shall not include utility easements, roads, retention, or any other areas that are not vegetated, except for hiking or multi-purpose trails not to exceed a paved width of eight feet. Where practicable, buffers shall include unpaved or paved trails of at least six feet in width for the use of residents. Buffers may be incorporated into the mandatory open space

Analysis Regarding Urban Sprawl

It is the intent of Clay County to discourage the proliferation of Urban Sprawl. As required by FS 163.3177(6)(a)9.b., all proposed comprehensive plan amendments are to be analyzed to ensure that urban sprawl and its negative impacts are not promoted. A future land use plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

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

167 **Staff Finding I:** The request does not direct the land development to areas that currently have entitled
168 higher density and incorporate the preservation of open space and natural resources. The project is
169 creating a compact urban form albeit in a rural area of the County. The project may be better served
170 to be located in an area of economic generators with a more urban footprint.

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

172 **Staff Finding II:** The request is establishing urban development in a rural area of the County, there
173 is, however, infrastructure that is or will be in place as the project is within the urban service
174 boundary, i.e. schools, fire stations, road networks, etc. although they are not currently in place

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

178 (IV) Promotes conservation of water and energy.

179 **Staff Finding IV:** The plan should result in a conservation of water and energy and the proposed
180 development is a compact product thereby conserving resources with regards to landscaped areas.

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

183 (VI) Preserves open space and natural lands and provides for public open space and recreation needs.

184 (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential
185 needs of an area.

186 (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or
187 planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative
188 development pattern such as transit-oriented developments or new towns as defined in s. [163.3164](#).

189 *The project fails to meet four of the required criteria to confirm the project is not sprawl.*

190 **Recommendation**

191 The Springs Citizen Advisory Committee heard the item at their meeting on May 14, 2025 and provided a
192 recommendation of **denial** 4-2.

193 Based on the analysis in the report above, Staff recommends **denial** of COMP 25-0009.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2045 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2025-10, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF THREE PARCELS (TAX PARCEL IDENTIFICATION #s 29-05-26-014443-001-00, 29-05-26-014446-001-03 and 32-05-26-014459-000-00), TOTALING APPROXIMATELY 10.01 ACRES, FROM RURAL RESIDENTIAL (RR) TO URBAN CORE 10(UC-10; 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 2045 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 25-0009, 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 three parcels of land (tax parcel identification # 29-05-26-014443-001-00, 29-05-26-014446-001-03 & 32-05-26-014459-000-00), totaling approximately 10.01 acres, described in Exhibit “A-1”, and depicted in Exhibit “A-2” is hereby changed from RURAL RESIDENTIAL (RR) TO URBAN CORE 10 (UC-10).

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 June, 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"

Legal Description

PARCEL 1

That part of the Northeast Quarter of the Northeast Quarter of Section 32, Township 5 South, Range 26 East, Clay County, Florida, lying Northeast of the CSX Transportation Railroad right of way.

PARCEL 2

A portion of Section 29, Township 5 South, Range 26 East, Clay County, Florida, being more particularly described as follows:

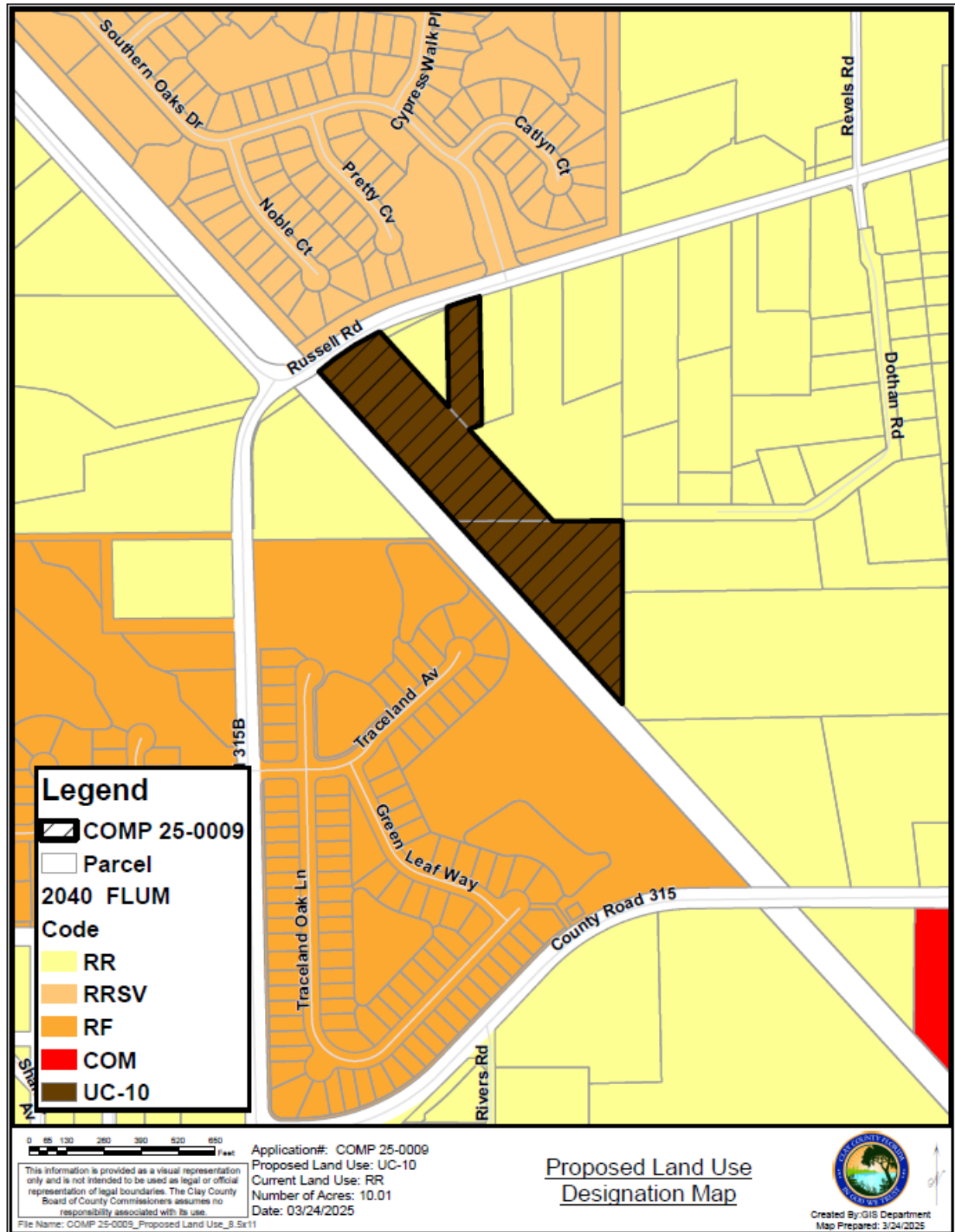
Commence at the Southeast corner of said Section 29; thence in a Westerly direction, along the Southerly line of said Section 29, run the following two (2) courses and distances: Course No. 1: North 89 degrees 58 minutes 38 seconds West, 285.00 feet to the Southwest corner of the lands described and recorded in Official Records 685, Page 557, of the Public Records of said County and the Point of Beginning; Course No. 2: Continue North 89 degrees 58 minutes 38 seconds West, along said Southerly line, 333.97 feet, to the Northeasterly line of a 100 foot wide Seaboard Coastline Railroad Right-of-Way; thence North 42 degrees 00 minutes 00 seconds West, along last said line 641.02 feet to an intersection with the Southerly Right-of-Way line of Russell Road (County Road Number 209, an 80 foot Right-of-Way as now established); thence in a Northeasterly direction along said Southerly Right-of-Way line of County Road 209, the following two (2), courses and distances: Course No. 1: North 56 degrees 15 minutes 05 seconds East, 125.62 feet to the Point of curvature of a curve leading Northeasterly; Course No. 2: Northeasterly along and around the arc of a curve concave Southeasterly, having a radius of 914.93 feet, an arc distance of 126.75 feet, said arc being subtended by a chord bearing and distance of North 60 degrees 13 minutes 13 seconds East, 126.65 feet to the Southwesterly line of those lands described and recorded in Official Records 159, Page 219 of the said Public Records; thence South 42 degrees 00 minutes 00 seconds East along last said line and along the Southwesterly lines of those lands described and recorded in Official Records 2035, Page 1098 and aforesaid Official Records 685, Page 557, all of said Public Records 819.75 feet to the Point of Beginning.

PARCEL 3

A Parcel of land situated in Section 29, Township 5 South, Range 26 East, Clay County, Florida, being more particularly described as follows:

Commence at the intersection of the East line of Section 29 with the Southeasterly right of way line of State Road No. S-209 (as now established as an 80 foot right of way), run thence South 73 degrees 33 minutes 30 seconds West along the said Southeasterly right of way line, 520.0 feet for the Point of Beginning; continue South 73 degrees 33 minutes 30 seconds West along the Southeasterly right of way line, 110.0 feet; thence South 00 degrees 12 minutes 30 seconds West, 337.92 feet; thence South 42 degrees 00 minutes 00 seconds East, 100.97 feet; thence North 73 degrees 33 minutes 30 seconds East, 39.20 feet; thence North 00 degrees 12 minutes 30 seconds East, 433.0 feet to the Point of Beginning.

Exhibit "A-2"





Staff Report and Recommendations for COMP 25-0009

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 / Applicant Information:

Owner: Donnie & Janice Walker
Agent: Colin Groff (Black Creek Engineering)
Phone: (904) 759-8930
Email: cdgroff@bellsouth.net

Property Information

Parcel IDs; 29-05-26-014446-001-03 & 32-05-26-014459-000-00 and 29-05-26-014443-001-00	Parcel Address: south side of CR 209/Russell Road, adjacent to the railroad tracks, west of Highway 17
Current Land Use: RR (Rural Residential)	Current Zoning: AR (Agricultural Residential)
Proposed Land Use: UC-10 (Urban Core 10)	Total Acres: 10.01 +/- acres

Commission District: 5, Comm. Burke	Planning District: The Springs
--	---------------------------------------

Introduction:

This application is a Small-Scale Comprehensive Plan Amendment to the 2045 Future Land Use Map (FLUM). The application would change the Land Use on three parcels of land from RR (Rural Residential) to UC-10 (Urban Core 10). The Applicant is proposing 98 townhome units.

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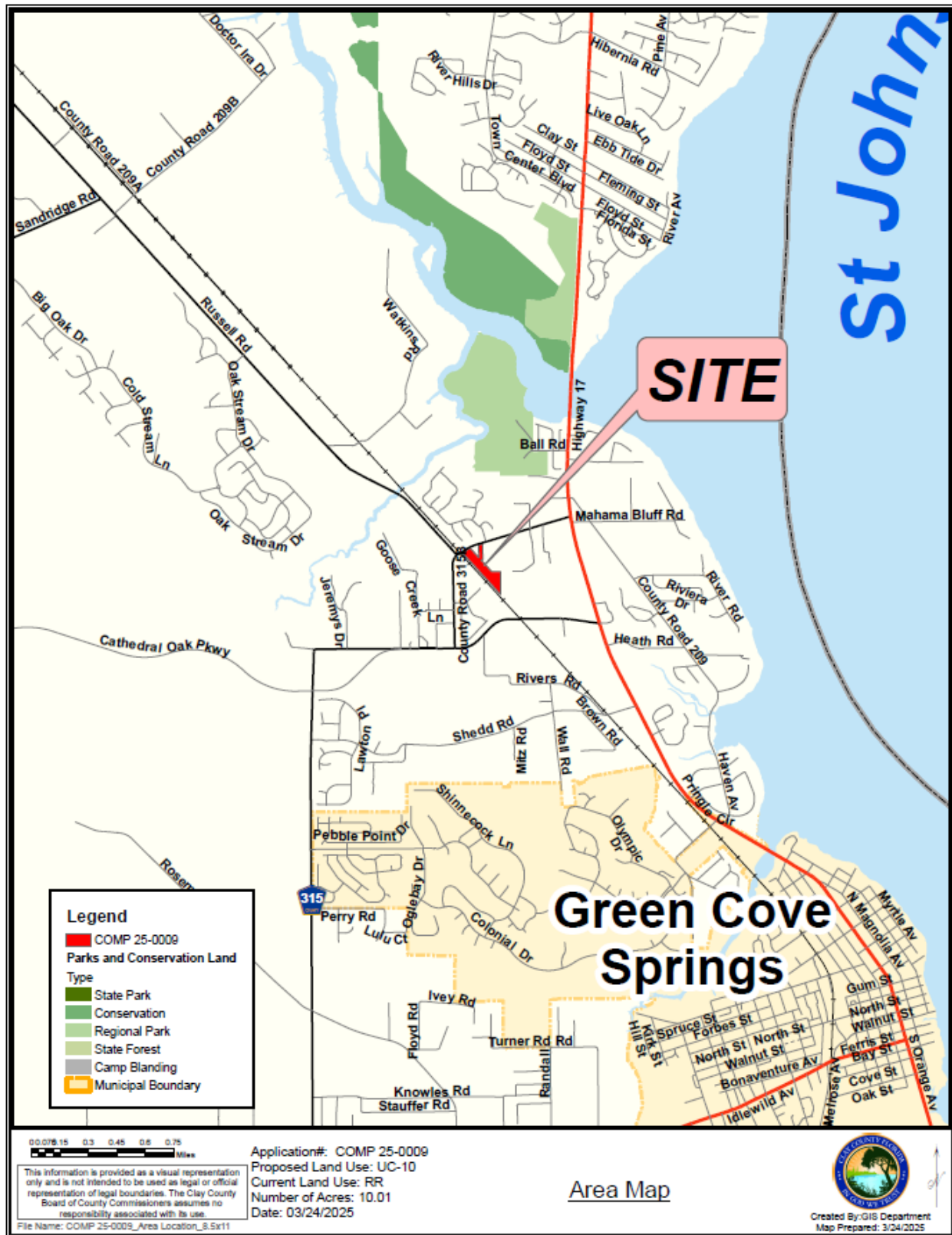
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28
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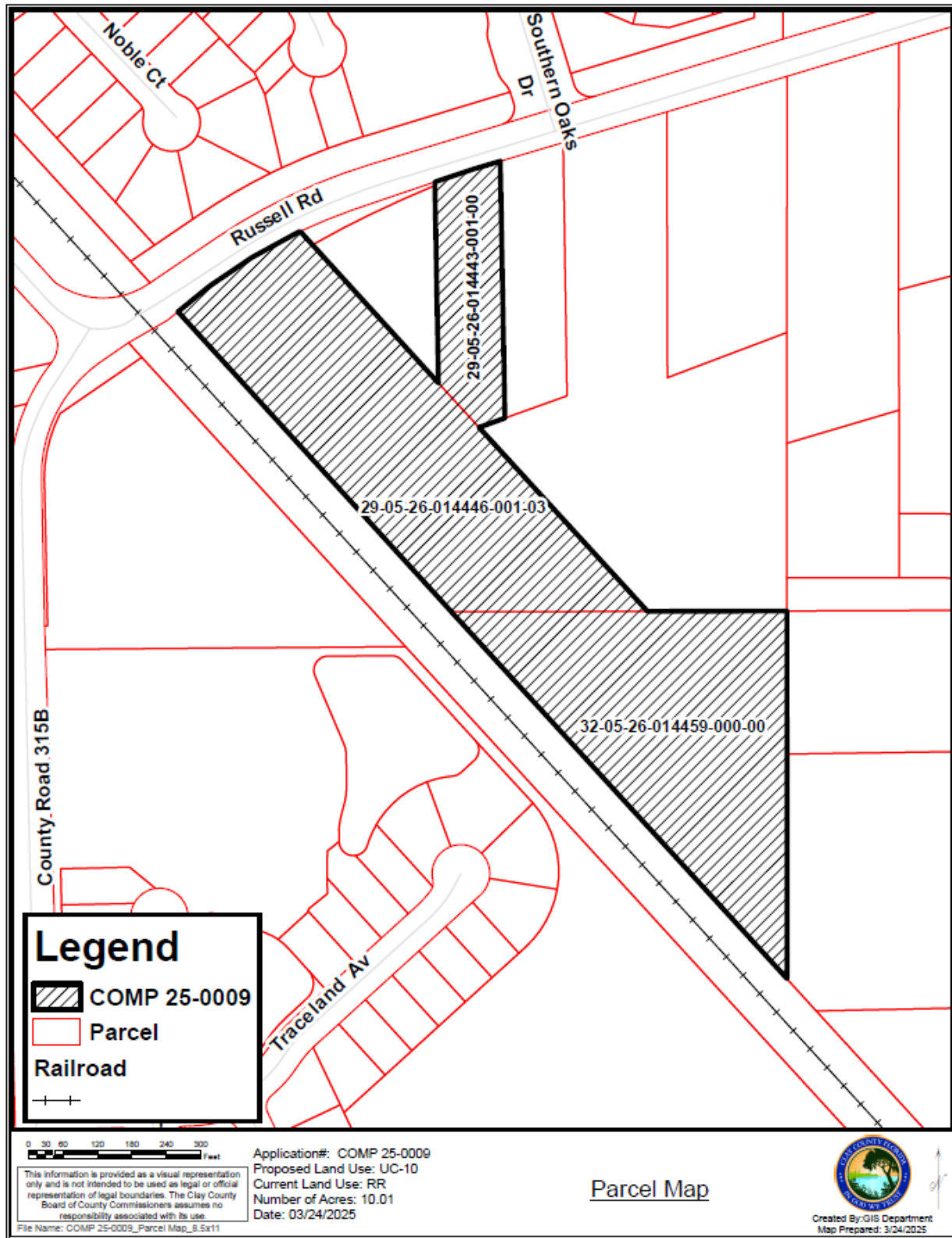


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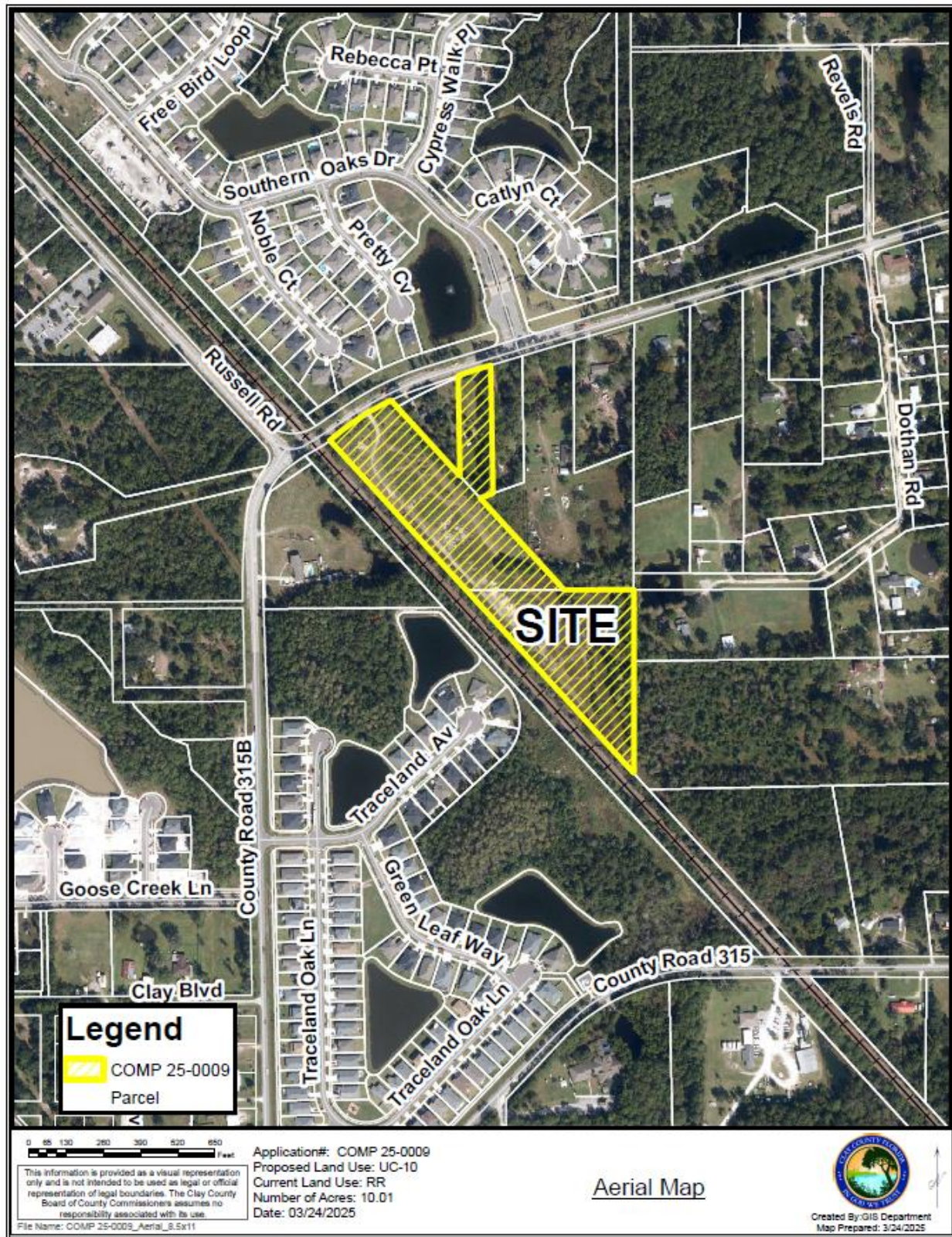


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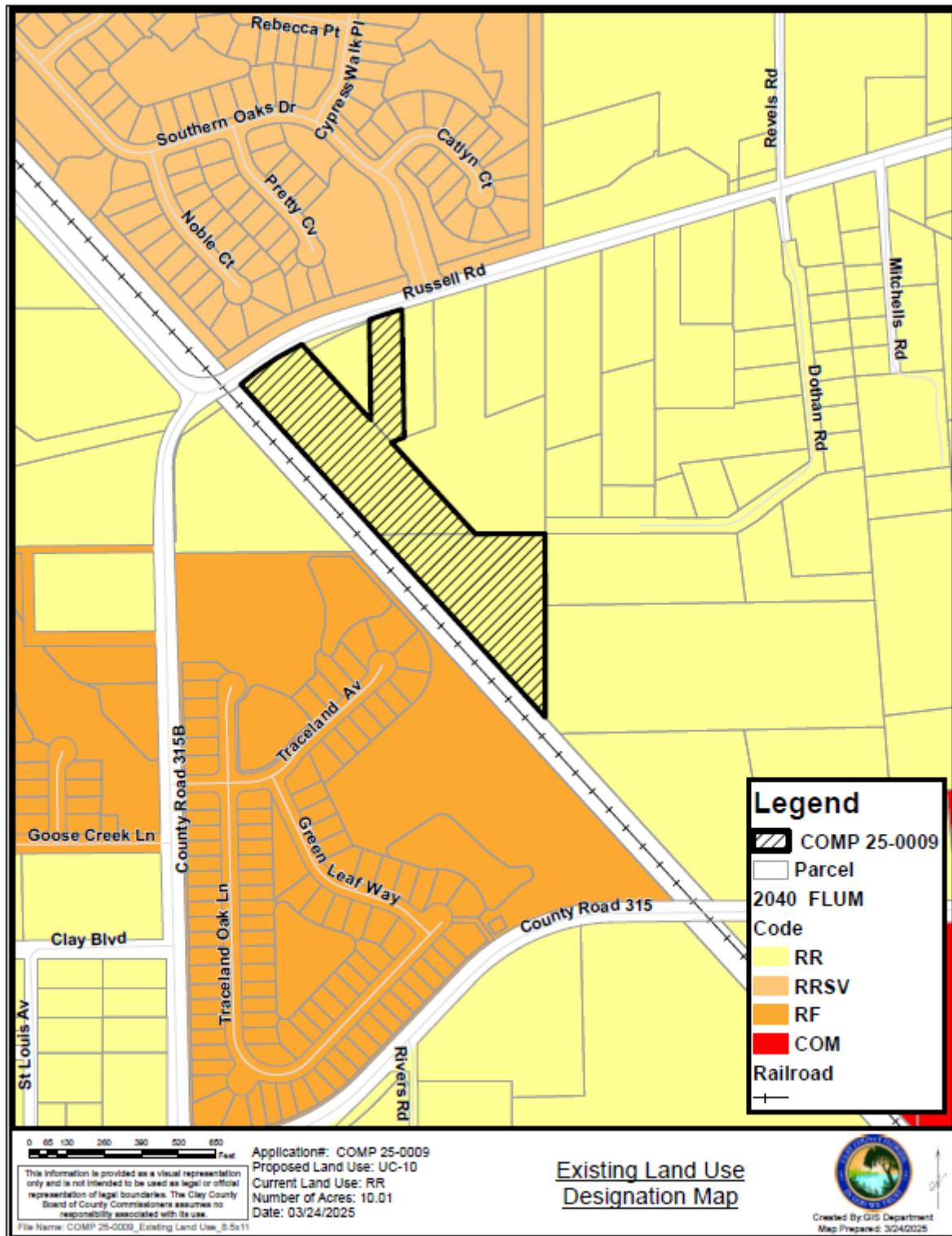


Figure 5 – Proposed Future Land Use Designation Map

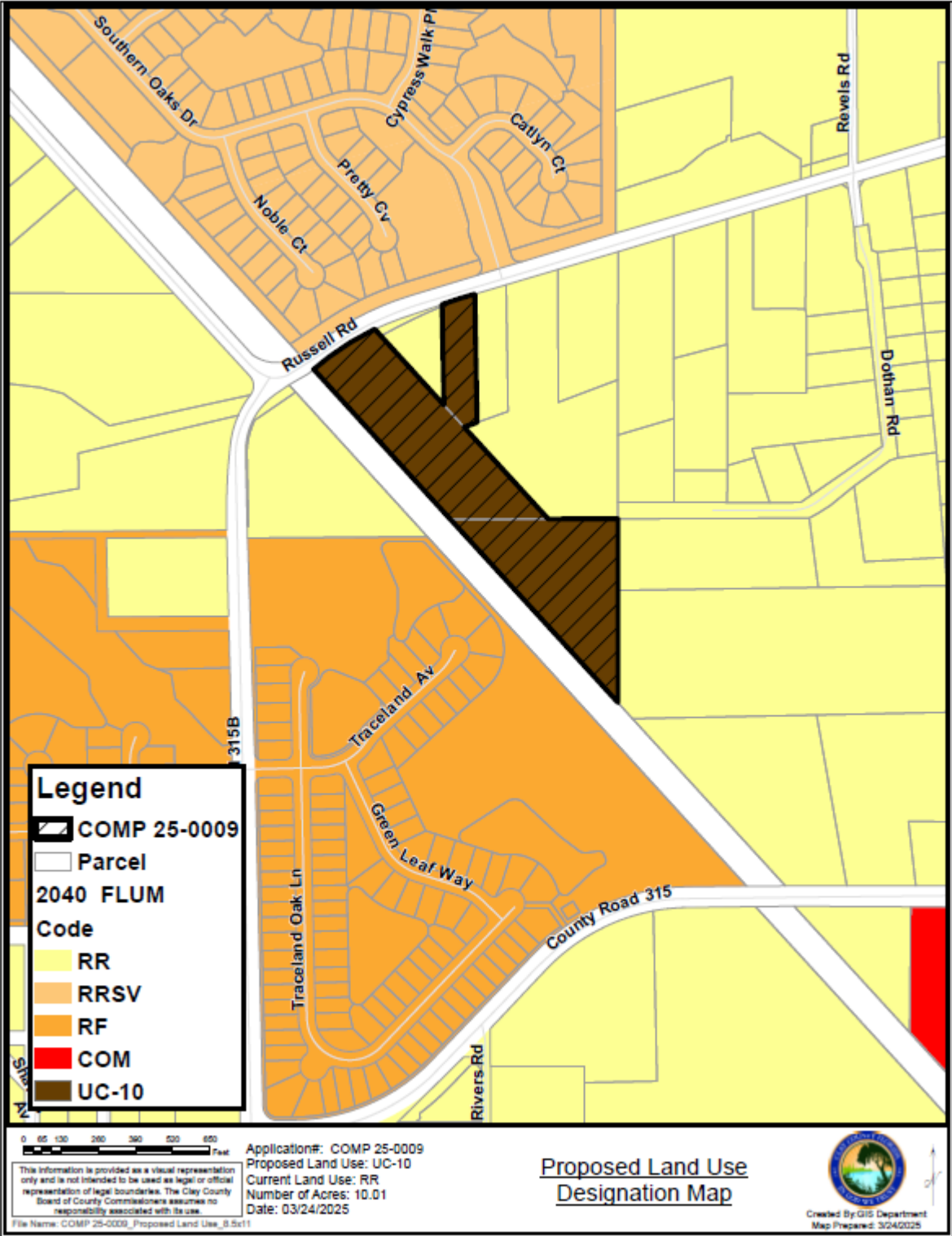
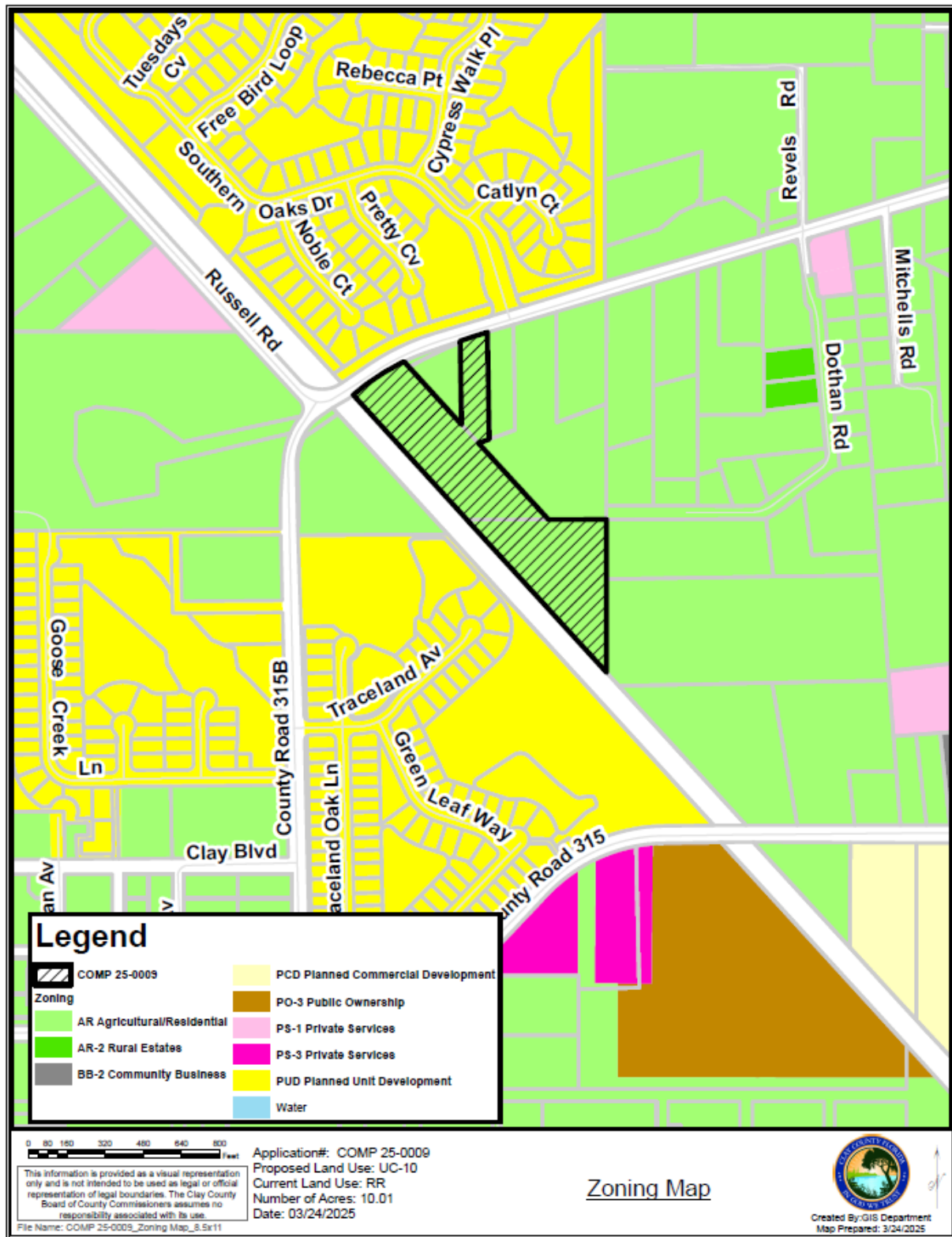


Figure 6 – Zoning Map



43

44 **Availability of Services**

45 **Summary of Application**

46

COMP 25-0009	Acreage	Existing Land Use Category	Existing Maximum Intensity	Proposed Land Use Category	Proposed Maximum Intensity	Net Increase in Maximum Density
Tax parcel: 014446-001-03, 014459-000-00, 014443-001-00	10.01 acres	(RR) Existing/ Rural Residential (RR)	1 du/5 net ac (max. 1 du) 1 du/1 net ac (with points and clustering) (max. 7 du)	UC-10 (Urban Core - 10)	10 du/gross ac	Increase 88 du

47

48 Traffic Facilities:

49 The proposed project has direct access on Russell Road / 209 which is considered a local collector road
50 which is in the process of widening to 4 lanes. Trip Generation calculated as: Single-Family Attached
51 Housing (ITE 215) P.M. Peak Hour of Generator Weekday

52 Average Rate of Vehicle Trips per dwelling unit = 7.20

53 Maximum Number of units for subject parcel(s) = 100(maximum of 10 du/acre in UC-10)

54 Total PM Peak Hour Trips for this project = 720 trips (7.20 x 100 du.)

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

56 Schools:

57 The Applicant would have to secure student stations with the school board at the time of site plan review.
58 The closest school to the subject property is more than two miles away.

59

60 Recreation:

61 The proposed site plan includes a recreational component.

62

63 Water and Wastewater:

64 Water and sewer service will need to be acquired for any proposed development on the parcel. The parcel is
65 located within the Urban Service Area boundary.

66

67 Stormwater/Drainage:

68 Stormwater management for any new construction will need to meet County and Water Management District
69 standards. The proposed project includes a stormwater pond that will be evaluated by the Engineering at the
70 time of permitting.

71 Solid Waste:

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

73

74 **Land Suitability:**

75 Soils:

76 See Figure 7.

77 Flood Plain:

78 Development impacts within any floodplain area on the subject parcel will be required to be mitigated. See
79 Figure 8.

80 Topography:

81 The subject parcel is relatively flat with drainage moving from east to west. See Figure 9.

82 Regionally Significant Habitat:

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

85 Historic Resources:

86 There is evidence of historic resources just off the subject property. Should any artifacts be found in the
87 course of the project development, all work should stop to evaluate the findings. See Figure 11.

88 Compatibility with Military Installations:

89 The subject property is not located near Camp Blanding.

90

91 **Analysis of Surrounding Uses**

92 The proposed future land use amendment would change the total parcel acreage (10.1 acres) from RR (Rural
93 Residential) to UC-10 (Urban Community - 10). This change would be inconsistent with the development in
94 the immediate area as shown in the table below:

	Future Land Use	Zoning District
North	Rural Reserve	PUD (Planned Unit Development)

South	Rural Residential and Rural Fringe	PUD (Planned Unit Development) and AR (Agricultural Residential)
East	Rural Residential	AR (Agricultural Residential)
West	Rural Residential	AR (Agricultural Residential)

Figure 7 – Soil Map

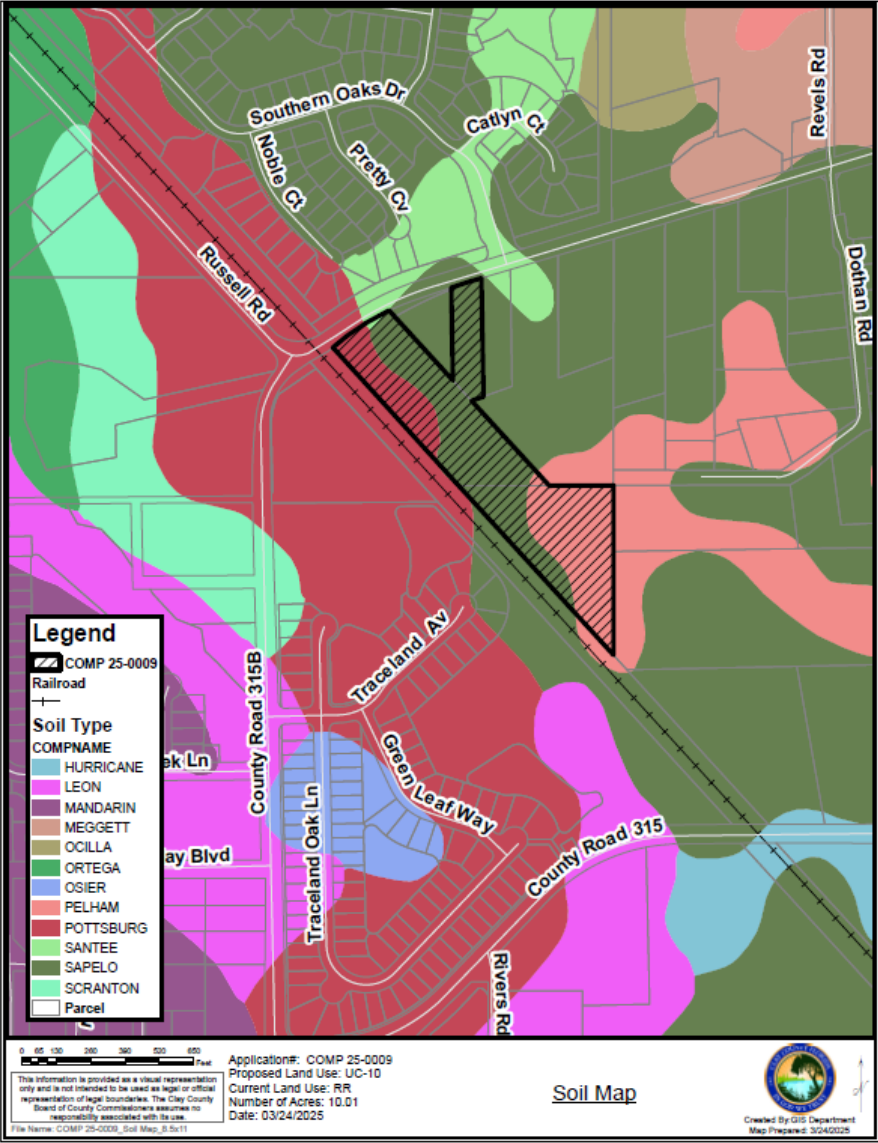


Figure 8 – Flood Zone Map

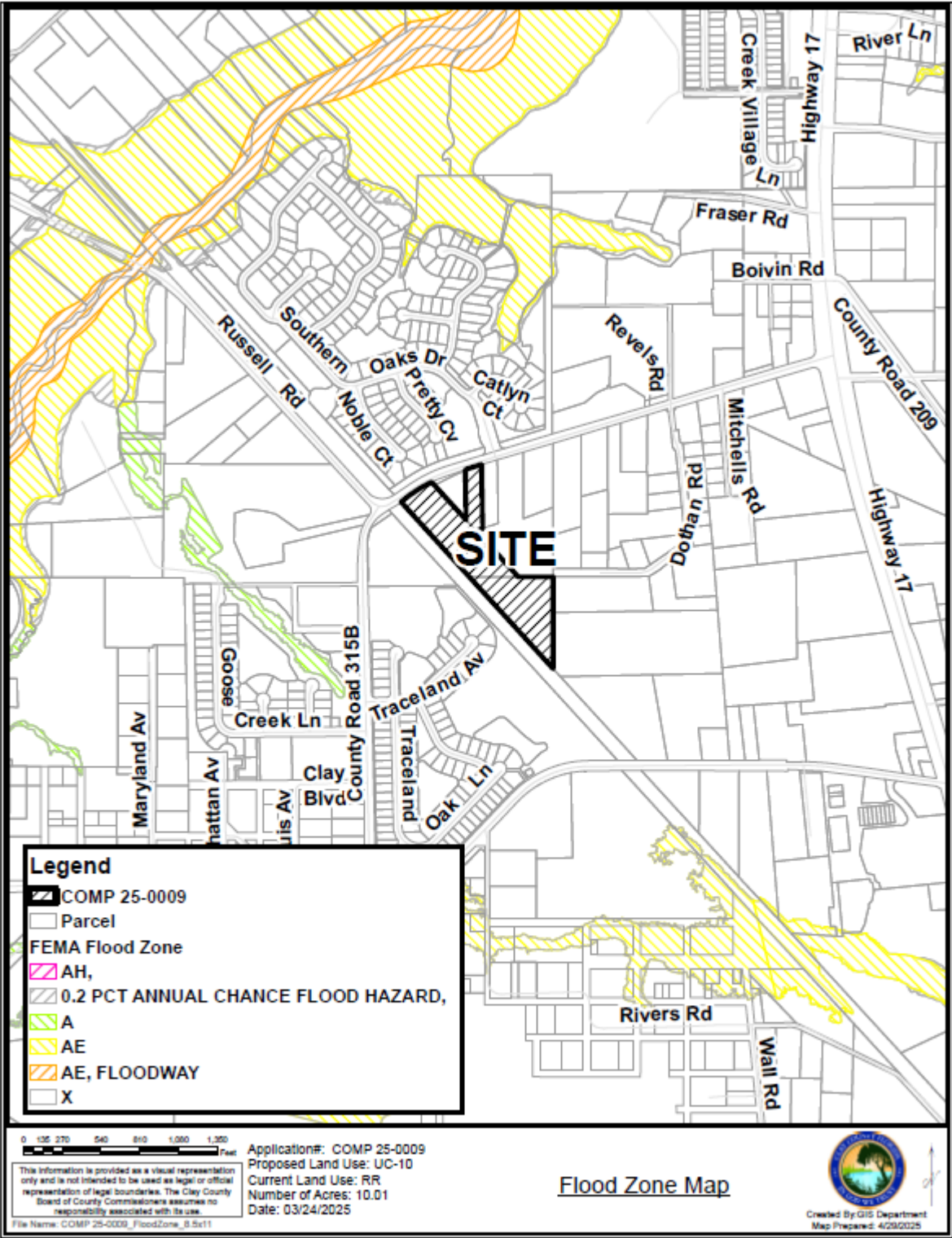


Figure 9 – Topography Map

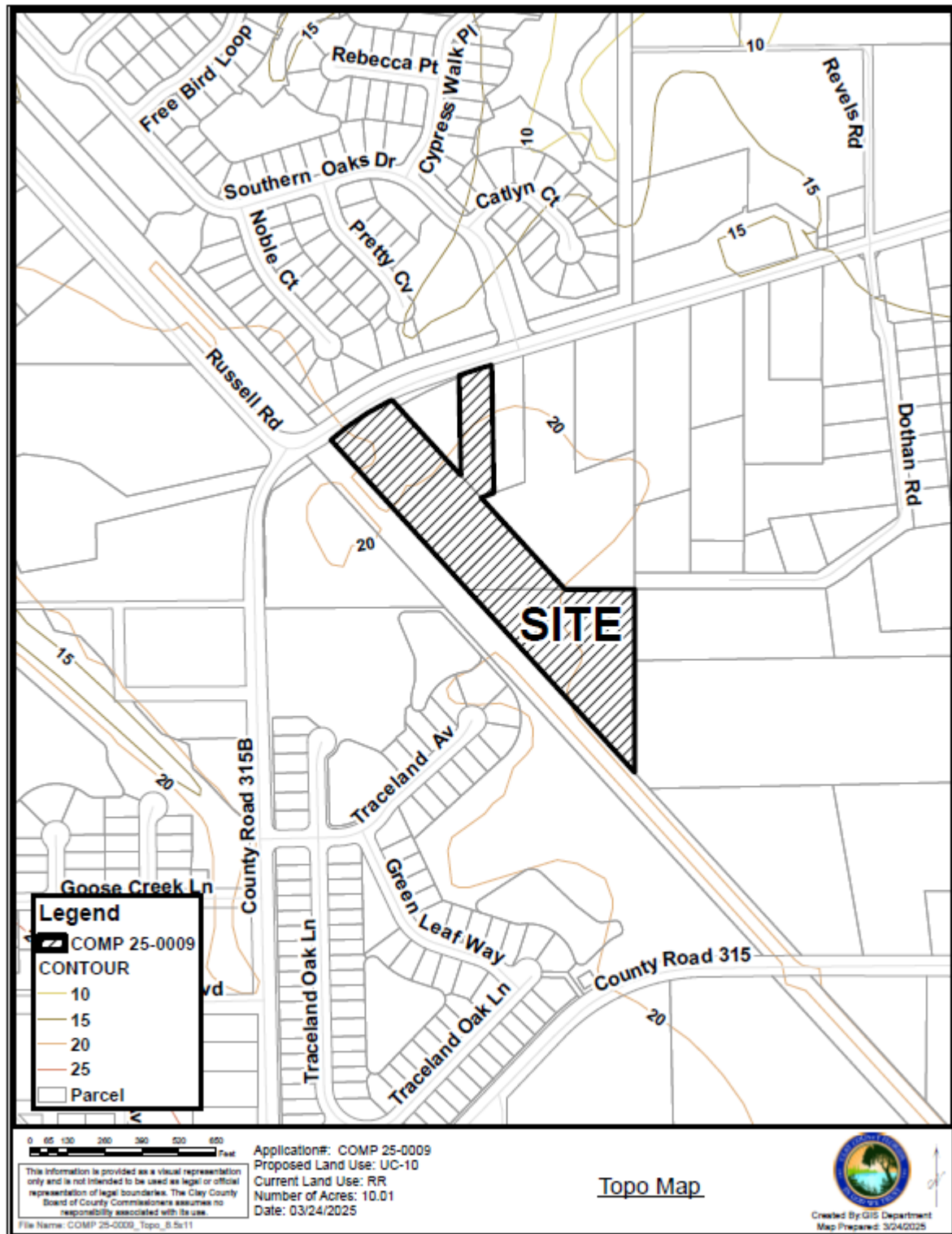


Figure 10 – Habitat Value Map

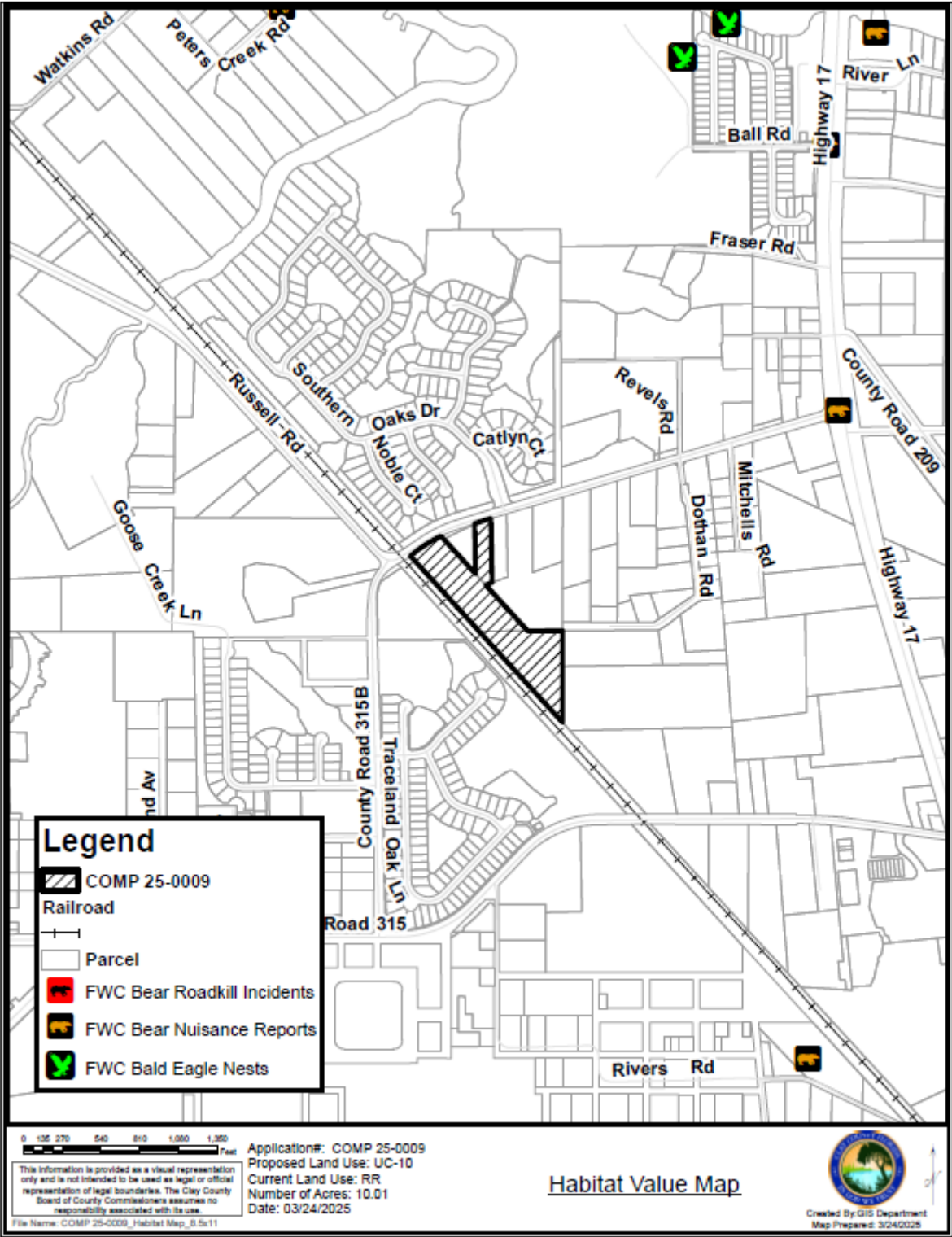
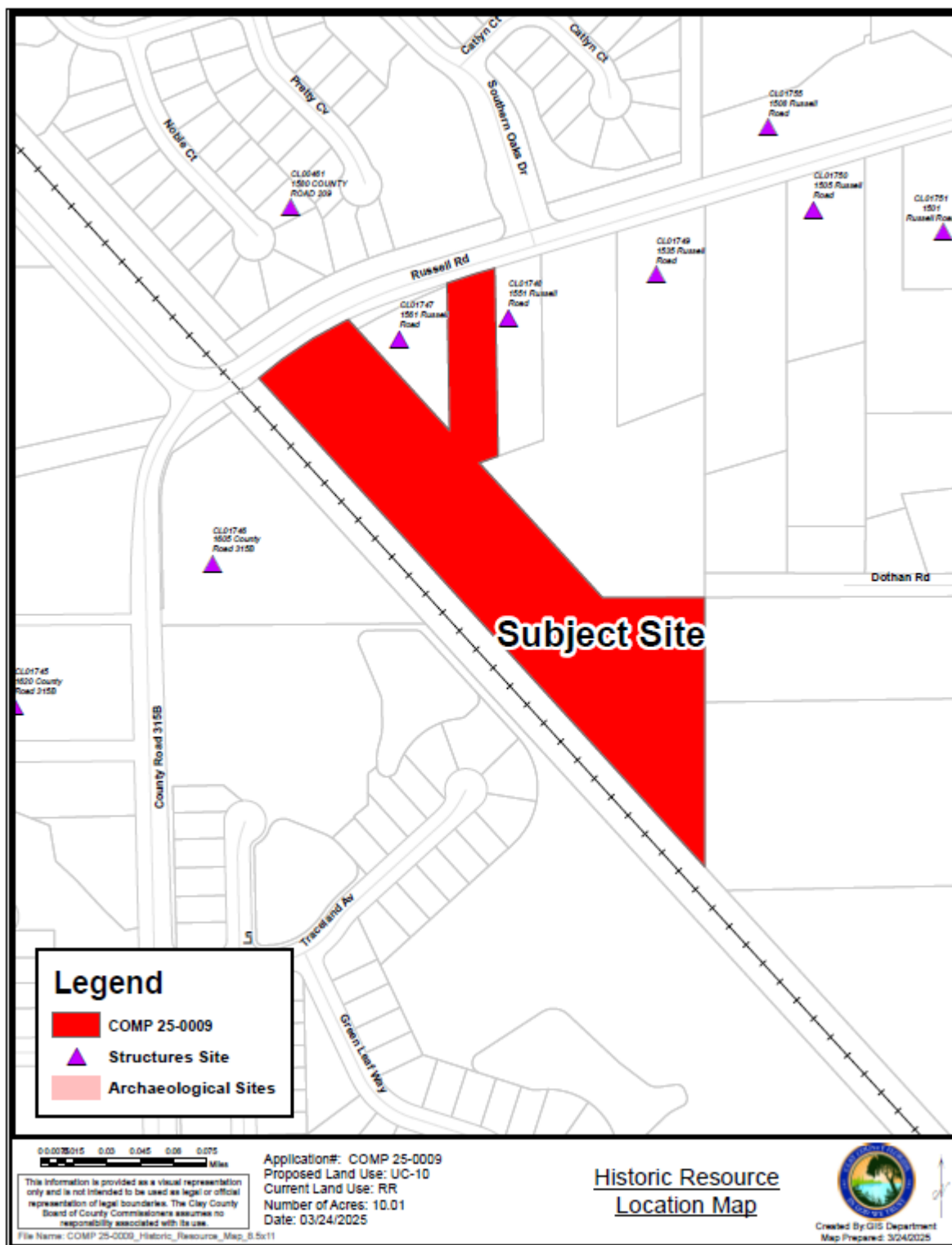


Figure 11 - Historical Resources



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

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

111 FLU Policy 1.4.1.7 Urban Core (10)

112 Urban Core (10) - “UC-10” (Urban): This designation is intended for land within the core of urban
113 service areas and accessible to employment centers. Densities in this area shall range from a minimum
114 of two units per net acre and a maximum of ten units per net acre. This classification includes single-
115 family detached and attached, cluster and zero lot line dwellings, and multi-family housing.

116
117 *This request is not within the “core” of the urban service area, although it is inside the area. It is*
118 *located on what would be considered the edge of the boundary.*

119
120 Areas within this category may be suitable for a higher intensity use, upward to a maximum of ten
121 units per net acres. Densities from seven to ten units per net acre may be approved if the location
122 meets required points and the development provides central water and sewer system.

123
124 *The development does have adequate points to allow for higher densities based on infrastructure*
125 *present in the area, the project however does not address the preservation of open space and natural*
126 *resources.*

127
128 Review of specific densities shall be directed toward preserving the stability and integrity of
129 established residential development and toward providing equitable treatment of lands with similar
130 characteristics. Design techniques of landscaping, screening and buffering shall be employed to assure
131 a smooth transition in residential structure types and densities

132
133 FLU POLICY 1.4.4

134 In order to provide for additional residential densities in the Agricultural/Residential and Rural
135 Residential areas while maintaining the rural character and availability of agricultural uses,
136 developments may occur at the higher of the two densities stipulated in this Element, provided that
137 such developments are clustered contiguously in a development tract on a portion of the parent tract,
138 subject to the following general requirements:

- 139 1) The minimum size of such development tract is shown in 2) following:
140 2) All subdivisions of land must retain permanent open space within the parent tract as follows:

Requirement	Land Use			
	Agriculture/Residential		Rural Residential	
Subdivision Size	1-20 Lots	Over 20 Lots	1-20 Lots	Over 20 Lots
Minimum Size of Development Tract	10 Acres	105 Acres	5 Acres	21 Acres
Minimum Open Space Requirement (see c. below)	50%	50%	35%	35%
Minimum Lot Size Without Central Water and Sewer	1 Acre	1 Acre	0.5 Acre	0.5 Acre

* The minimum lot size for residential development of lands within ½ mile of Outstanding Florida Water (OFW) shall be one (1) acre unless served by central water and/or sewer.

- 5) The proposed cluster development must have the following characteristics:
- a) The development shall be located on suitable upland away from environmentally sensitive land, including wetlands and 100-year floodplains, and buffered from agricultural use. Such environmentally sensitive land must be excluded from calculations of the size of the base development tract and identified wetlands shall be subject to the criteria established for the Conservation designation on the Future Land Use Map.
 - b) Minimum 50-foot perimeter buffers shall be provided to ensure compatibility of the development activity with adjacent uses. These buffers must include preserved or planted vegetation that provides an effective visual screen (at least 85% opacity) from rights-of-way and adjacent properties. If such a buffer is planted or supplemented, the 85% opacity standard must be met within three years after planting. Buffers shall not include utility easements, roads, retention, or any other areas that are not vegetated, except for hiking or multi-purpose trails not to exceed a paved width of eight feet. Where practicable, buffers shall include unpaved or paved trails of at least six feet in width for the use of residents. Buffers may be incorporated into the mandatory open space

Analysis Regarding Urban Sprawl

It is the intent of Clay County to discourage the proliferation of Urban Sprawl. As required by FS 163.3177(6)(a)9.b., all proposed comprehensive plan amendments are to be analyzed to ensure that urban sprawl and its negative impacts are not promoted. A future land use plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

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

167 **Staff Finding I:** The request does not direct the land development to areas that currently have entitled
168 higher density and incorporate the preservation of open space and natural resources. The project is
169 creating a compact urban form albeit in a rural area of the County. The project may be better served
170 to be located in an area of economic generators with a more urban footprint.

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

172 **Staff Finding II:** The request is establishing urban development in a rural area of the County, there
173 is, however, infrastructure that is or will be in place as the project is within the urban service
174 boundary, i.e. schools, fire stations, road networks, etc. although they are not currently in place

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

178 (IV) Promotes conservation of water and energy.

179 **Staff Finding IV:** The plan should result in a conservation of water and energy and the proposed
180 development is a compact product thereby conserving resources with regards to landscaped areas.

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

183 (VI) Preserves open space and natural lands and provides for public open space and recreation needs.

184 (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential
185 needs of an area.

186 (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or
187 planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative
188 development pattern such as transit-oriented developments or new towns as defined in s. [163.3164](#).

189 *The project fails to meet four of the required criteria to confirm the project is not sprawl.*

190 **Recommendation**

191 The Springs Citizen Advisory Committee heard the item at their meeting on May 14, 2025 and provided a
192 recommendation of **denial** 4-2.

193 Based on the analysis in the report above, Staff recommends **denial** of COMP 25-0009.



Staff Report and Recommendations for ZON 25-0010

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 / Applicant Information:

Owner: Donnie & Janice Walker
Agent: Colin Groff (Black Creek Engineering)
Phone: (904) 759-8930
Email: cdgroff@bellsouth.net

Property Information

Parcel ID: 29-05-26-014446-001-03 & 32-05-26-014459-000-00 and 29-05-26-014443-001-00

Current Zoning: AR
Proposed Zoning: RD

Current Land Use: RR
Total Acres: 10.01 +/- acres of 3 parcels
Acres affected by Zoning change: 10.01 +/- acres
Planning District: The Springs

Commission District: 5, Comm. Burke

Introduction:

This application is a rezoning for three contiguous parcels of land (10.01+/-acres) from Agricultural Residential (AR) to Multi-family Residential District (RD-4). The applicant is proposing a 98-unit townhome Community. The property lies southeast of the Lake Asbury Master Planned Community.

The subject parcel is located east of the railroad tracks and on the south side of Russell Road/CR 209. Two parcels are undeveloped and the 3rd parcel has one mobile home located on it. The subject parcels lie within the Urban Service Boundary.

A companion Comprehensive Plan Amendment application preceded this application.

Figure 1 – Location Map

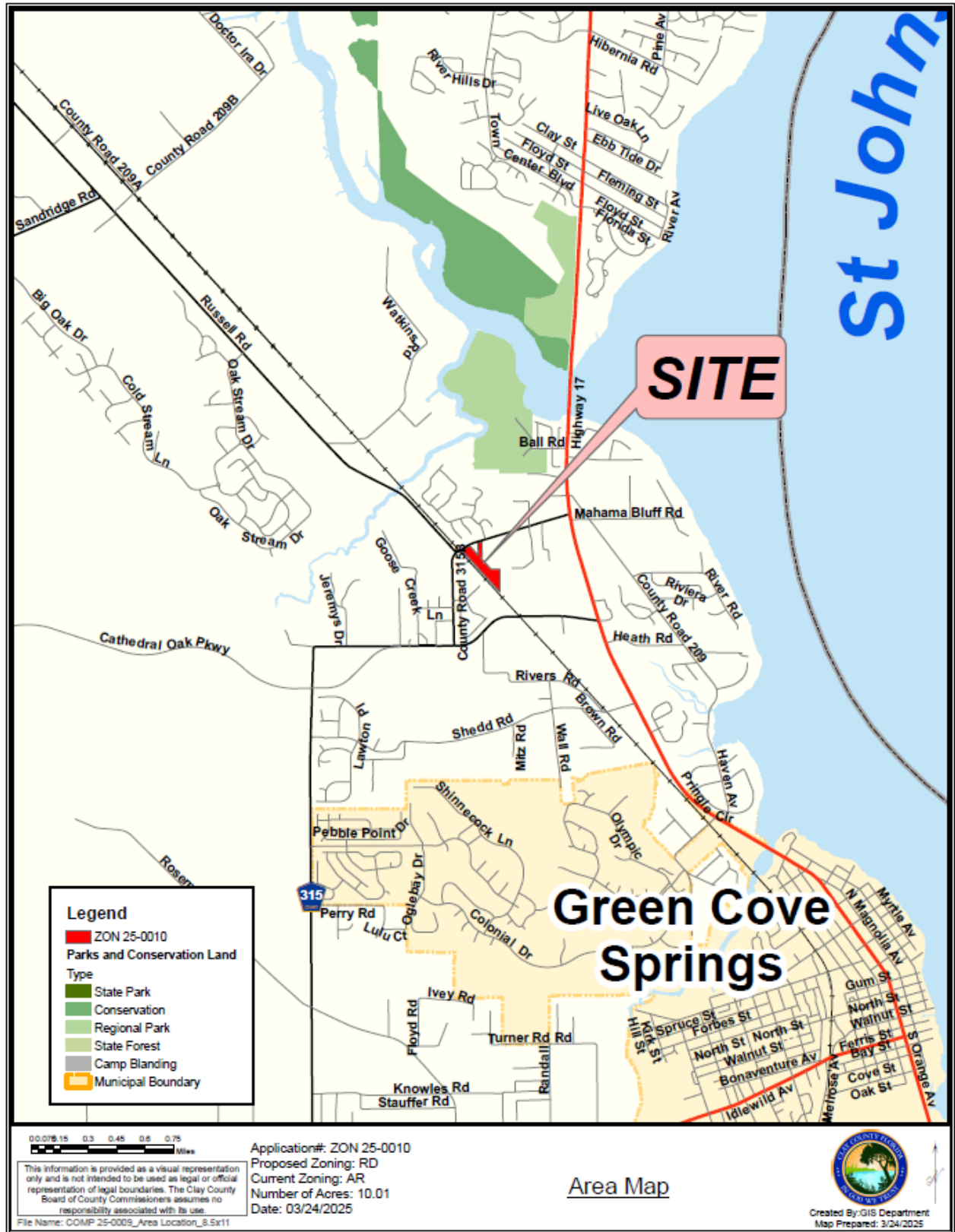


Figure 2 – Parcel Map

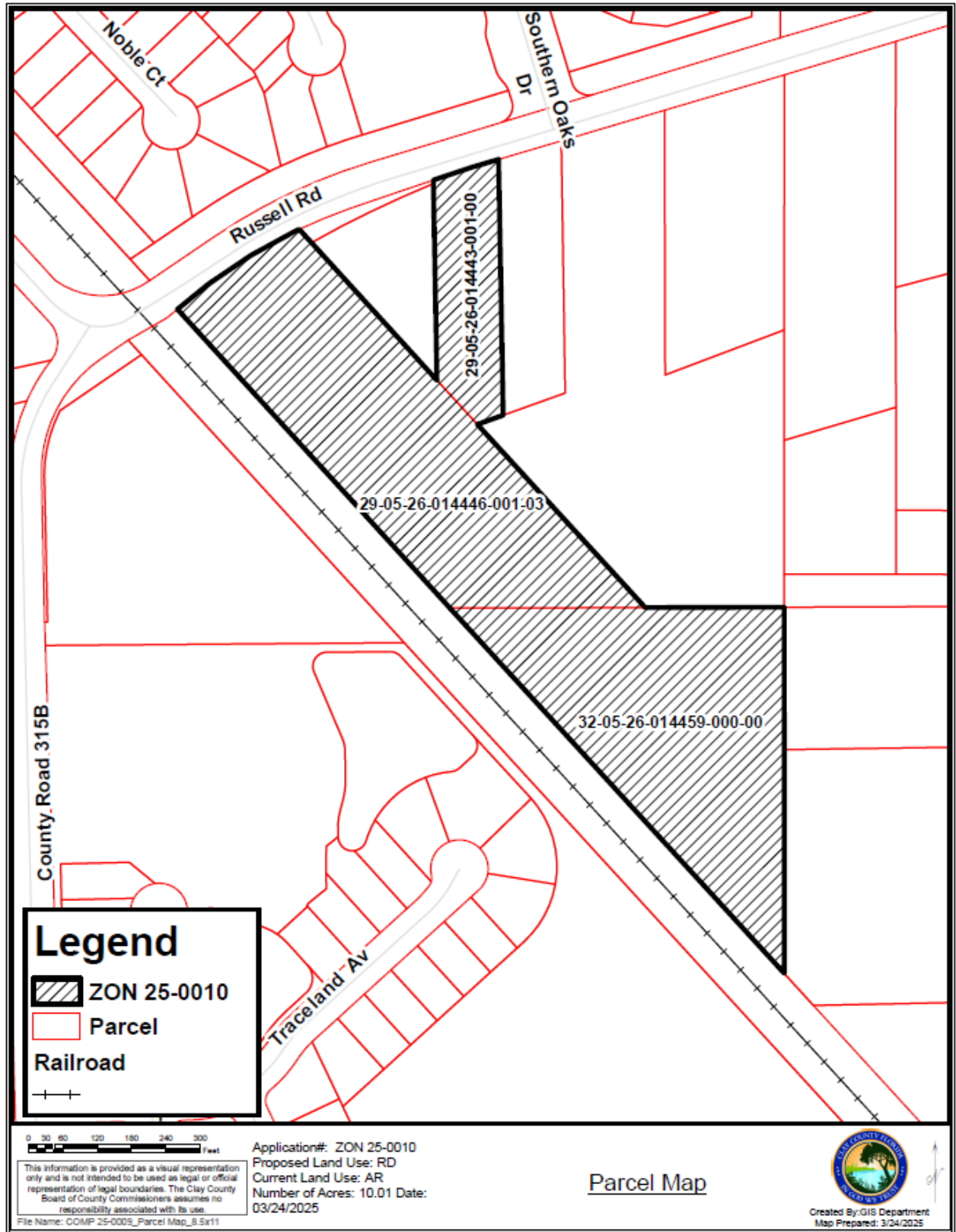


Figure 3 - Aerial Photo



0 295 590 1,180 Feet

Rezoning: ZON 25-0010
from AR to RD



Figure 4 – Existing Zoning Map

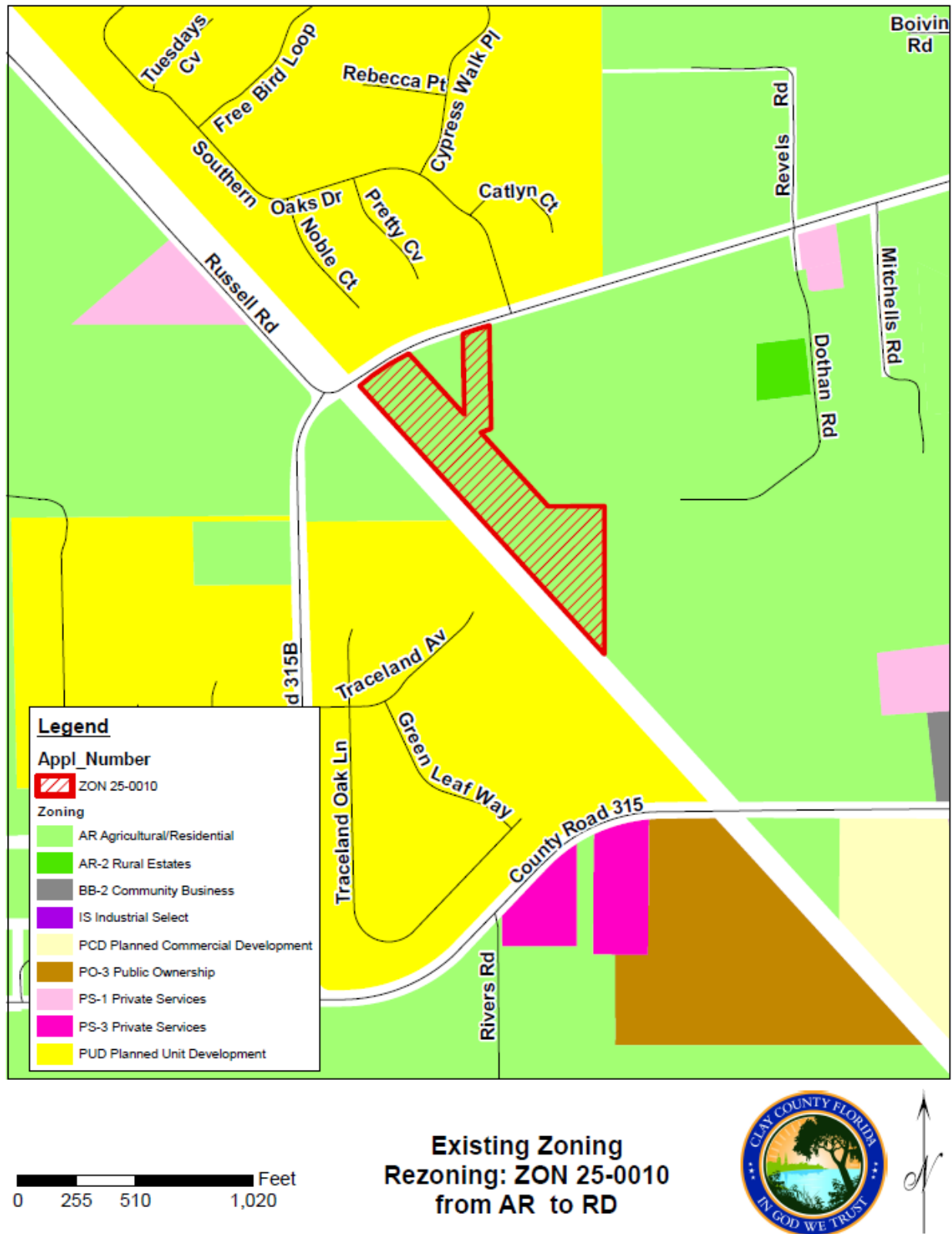
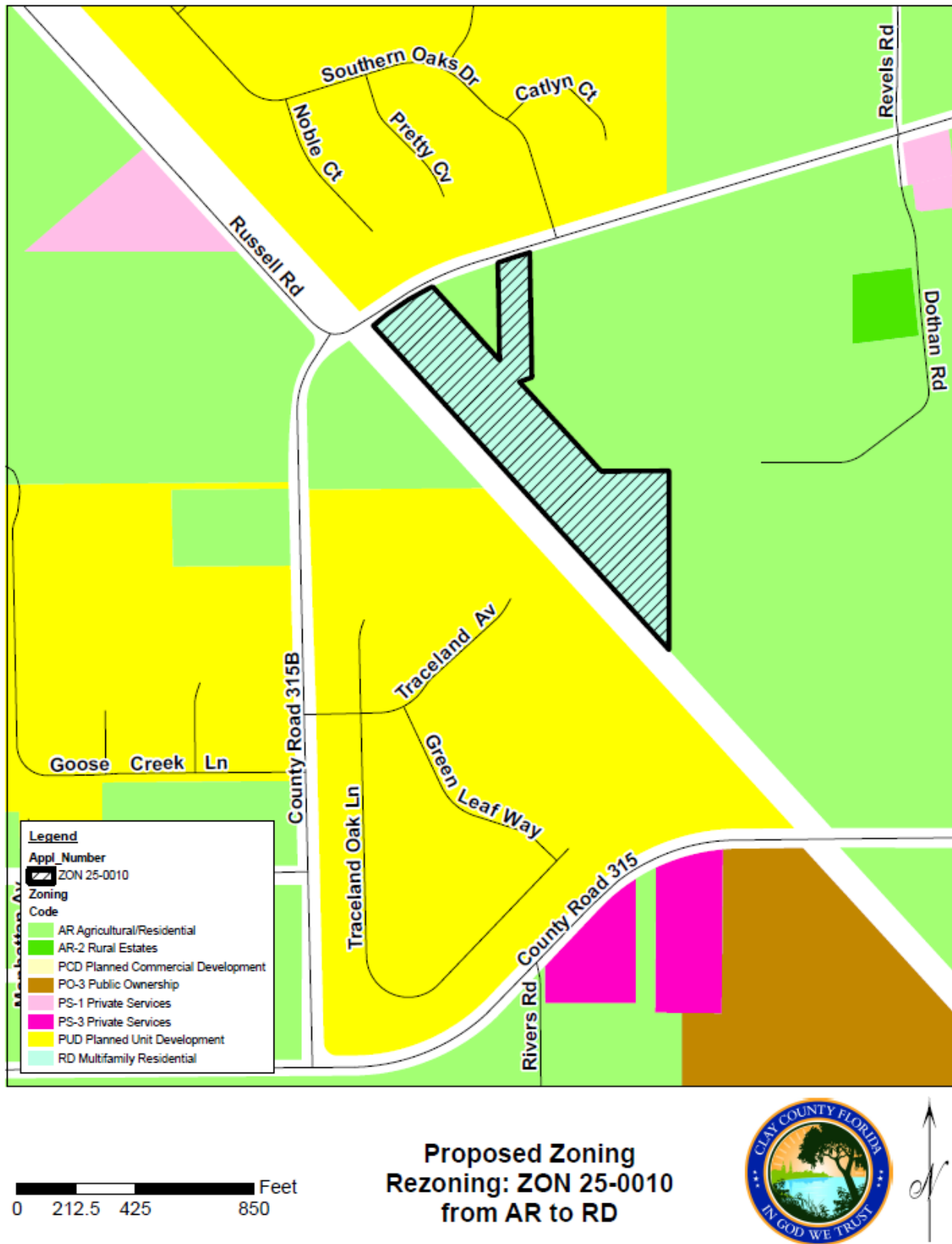


Figure 5 – Proposed Zoning Map



Analysis of Surrounding Uses

The proposed rezoning would change 3 parcels of land (10.01+/-acres) from the present zoning classification of Agricultural Residential (AR) to Multi-family Residential District (RD). This change does not appear to be compatible with the surrounding designations for the area, as outlined below:

	Future Land Use	Zoning District
North	Rural Reserve (RRSV)	Planned Unit Development (PUD)
South	Rural Residential (RR)	Planned Unit Development (PUD) & Agricultural Residential (AR)
East	Rural Residential (RR)	Agricultural Residential (AR)
West	Rural Residential (RR)	Agricultural Residential (AR)

Relevant Clay County 2045 Comprehensive Plan Policies

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

FLU POLICY 1. 4. 1

The Future Land Use categories are declared to be a part of the adopted Future Land Use Policies. The categories have been developed to help in the determination of where development should occur over the planning period and are described below

7) Urban Core 10:

This designation is intended for land within the core of urban service areas and accessible to employment centers. Densities in this area shall range from a minimum of two units per net acre and a maximum of ten units per net acre. This classification includes single-family detached and attached, cluster and zero lot line dwellings, and multi-family housing. Areas within this category may be suitable for a higher intensity use, upward to a maximum of ten units per net acres. Densities from seven to ten units per net acre may be approved if the location meets required points and the development provides central water and sewer system. Review of specific densities shall be directed toward preserving the stability and integrity of established residential development and toward providing equitable treatment of lands with similar characteristics. Design techniques of landscaping, screening and buffering shall be employed to assure a smooth transition in residential structure types and densities.

57 Analysis of Proposed Rezoning Amendment

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

60
61 (a) Whether the proposed change will create an isolated district unrelated to or incompatible with
62 adjacent and nearby districts;

63 *Staff Finding: The application will change the zoning of the three contiguous parcels from Agricultural*
64 *Residential (AR) to Multi-family Residential District (RD-4). Although the property is adjacent to significant*
65 *infrastructure investment with the widening of CR 209 and the parcel being located within the Urban Service*
66 *Boundary the requested change creates an isolated district of multi-family zoning.*

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

69 *Staff Finding: The property to the north of the subject parcels was rezoned in 2014 from AR to PUD for the*
70 *development of 171 units over 114 acres, equating to a density of 1.5 units per acre. The lands to the south*
71 *were rezoned in 2016 from AR to PUD for the development of 110 residential units over 37 acres for a density*
72 *of 3 units to the acre. The existing zoning of Agricultural/Residential is consistent with the area east and west*
73 *and does not appear illogically drawn in relation to the existing conditions.*

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

76 *Staff Finding: The district boundaries for the Agricultural/Residential zoning district has changed, as a*
77 *result of development in the area, however this increase in density in this area appears premature without the*
78 *non-residential uses to support it. Although the widening of 209 / Russell Road will increase the mobility of*
79 *the area, access being located so close to the intersection of a Major Collector and a active railway system may*
80 *prove to be problematic.*

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

82 *Staff Finding: The property can be used with the existing zoning in place although the greatest density that*
83 *could be achieved would be one unit per acre with points.*

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

86 *Staff Finding: The proposed rezoning would create an isolated high density area that would appear to be*
87 *inconsistent with the policies and objectives of the Plan.*

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

90 *Staff Finding: Maintaining the existing zoning will allow for a maximum density of 1 unit per acre with*
91 *points that the subject parcels have, will allow for a transition from the higher densities to the north and south*
92 *and the one du to five acre densities to the east and west of the parcels. Approving the request will allow for*
93 *a greater diversity of housing choices in proximity to transportations investments that have been made.*

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

96 *Staff Finding: The Applicant however is requesting a change in land use from RR to UC 10 which would be*
97 *inconsistent with the surround land use of Rural Residential.*

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

100 *Staff Finding: There is adequate supply of vacant land in the County with high densities and intensities*
101 *already entitled within the Lake Asbury Activity and Village Centers master planned communities to the*
102 *north of the subject parcels.*

103 **Recommendation**

104 The Springs Citizen Advisory Committee heard the item on May 14 and provided a recommendation of
105 denial 4-2.

106 Based on the analysis in the Report, Staff recommends denial of ZON 24-0013.

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 3 PARCELS (TAX PARCEL IDENTIFICATION #s 29-05-26-014443-001-00, 29-05-26-014446-001-03 & 32-05-26-014459-000-00), TOTALING APPROXIMATELY 10.01+/-ACRES, FROM AGRICULTURAL RESIDENTIAL (AR) TO MULTI-FAMILY RESIDENTIAL DISTRICT (RD-4) PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application ZON 25-0010, seeks to rezone certain real property totaling 10.01+/- acres (tax parcel identification #s 29-05-26-014443-001-00, 29-05-26-014446-001-03 and 32-05-26-014459-000-00) (the Property) described in Exhibit “A-1”, and depicted in Exhibit “A-2”.

Section 2. The Board of County Commissioners approves the rezoning request. The zoning of the Property is hereby changed from the present zoning classification of Agricultural Residential (AR) to Multi-family Residential District (RD-4).

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 25-0009, becoming effective.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of June, 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"

Legal Description

PARCEL 1

That part of the Northeast Quarter of the Northeast Quarter of Section 32, Township 5 South, Range 26 East, Clay County, Florida, lying Northeast of the CSX Transportation Railroad right of way.

PARCEL 2

A portion of Section 29, Township 5 South, Range 26 East, Clay County, Florida, being more particularly described as follows:

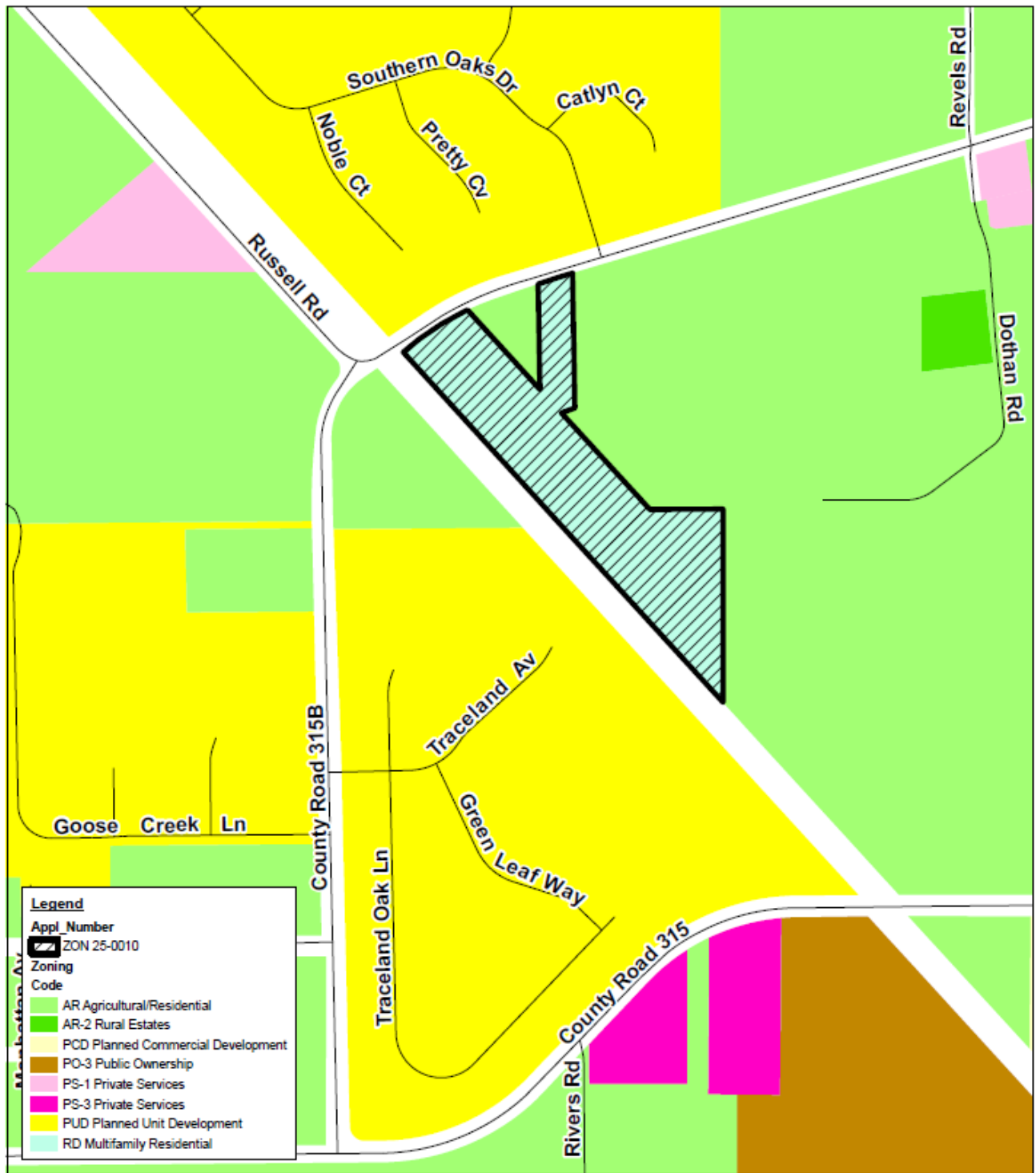
Commence at the Southeast corner of said Section 29; thence in a Westerly direction, along the Southerly line of said Section 29, run the following two (2) courses and distances: Course No. 1: North 89 degrees 58 minutes 38 seconds West, 285.00 feet to the Southwest corner of the lands described and recorded in Official Records 685, Page 557, of the Public Records of said County and the Point of Beginning; Course No. 2: Continue North 89 degrees 58 minutes 38 seconds West, along said Southerly line, 333.97 feet, to the Northeasterly line of a 100 foot wide Seaboard Coastline Railroad Right-of-Way; thence North 42 degrees 00 minutes 00 seconds West, along last said line 641.02 feet to an intersection with the Southerly Right-of-Way line of Russell Road (County Road Number 209, an 80 foot Right-of-Way as now established); thence in a Northeasterly direction along said Southerly Right-of-Way line of County Road 209, the following two (2), courses and distances: Course No. 1: North 56 degrees 15 minutes 05 seconds East, 125.62 feet to the Point of curvature of a curve leading Northeasterly; Course No. 2: Northeasterly along and around the arc of a curve concave Southeasterly, having a radius of 914.93 feet, an arc distance of 126.75 feet, said arc being subtended by a chord bearing and distance of North 60 degrees 13 minutes 13 seconds East, 126.65 feet to the Southwesterly line of those lands described and recorded in Official Records 159, Page 219 of the said Public Records; thence South 42 degrees 00 minutes 00 seconds East along last said line and along the Southwesterly lines of those lands described and recorded in Official Records 2035, Page 1098 and aforesaid Official Records 685, Page 557, all of said Public Records 819.75 feet to the Point of Beginning.

PARCEL 3

A Parcel of land situated in Section 29, Township 5 South, Range 26 East, Clay County, Florida, being more particularly described as follows:

Commence at the intersection of the East line of Section 29 with the Southeasterly right of way line of State Road No. S-209 (as now established as an 80 foot right of way), run thence South 73 degrees 33 minutes 30 seconds West along the said Southeasterly right of way line, 520.0 feet for the Point of Beginning; continue South 73 degrees 33 minutes 30 seconds West along the Southeasterly right of way line. 110.0 feet; thence South 00 degrees 12 minutes 30 seconds West, 337.92 feet; thence South 42 degrees 00 minutes 00 seconds East, 100.97 feet; thence North 73 degrees 33 minutes 30 seconds East, 39.20 feet; thence North 00 degrees 12 minutes 30 seconds East, 433.0 feet to the Point of Beginning.

Exhibit "A-2"



0 212.5 425 850 Feet

**Proposed Zoning
Rezoning: ZON 25-0010
from AR to RD**





Agenda Item
PLANNING COMMISSION

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

TO: Planning Commission

DATE: 5/28/2025

FROM: Jenni Bryla, AICP, Zoning
Chief

SUBJECT:

A. COMP 25-0010

This application is a FLUM Amendment to change 13.86+/-acres from Agricultural (AG) to Rural Residential (RR)

B. ZON 25-0007

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

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

The subject parcel is located on South County Road 16-A, south of the intersection with State Road 16-West. This parcel of land is largely undeveloped with just one mobile home.

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Applicant

Owner: Sheryl Gustafson

Agent: Danielle Kitchens

ATTACHMENTS:

	Description	Type	Upload Date	File Name
▢	Staff Report for COMP 25-0010	Cover Memo	5/29/2025	COMP_25-0010_- _Staff_Report_-_ss- cpa_-_jb_finalada.pdf
▢	Ordinance COMP 25-0010	Ordinance	5/29/2025	COMP_25-0010_- _ordinance_-_SS- final_jbada.pdf
▢	Staff Report for COMP 25-0007	Cover Memo	5/29/2025	ZON_25-0007- SR- _Final_jbada.pdf
▢	Ordinance ZON 25-0007	Cover Memo	5/29/2025	ZON_25-0007_- _Ordinance_-_ _final__jbada.pdf



Staff Report and Recommendations for COMP 25-0010

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 / Applicant Information:

Owner: Sheryl Gustafson
Agent: Danielle Kitchens
Phone: 904-497-3185
Email: DANISELLSFLA@GMAIL.COM

Property Information

Parcel ID: 16-06-26-015574-001-02	Parcel Address: 2005 S CR 16-A
Current Land Use: AG (Agricultural)	Current Zoning: AG (Agricultural)
Proposed Land Use: RR (Rural Residential)	Total Acres: 13.86 +/- acres portion of the parcel
	Acres affected by FLU change: 13.86 +/- acres
Commission District: 5, Comm. Burke	Planning District: The Springs

Introduction:

This application is a Small-Scale Comprehensive Plan Amendment to the 2045 Future Land Use Map (FLUM). The application would change a single parcel of land from AG (Agricultural) to RR (Rural Residential). The Applicant does not have a specific end use at this time.

The subject parcel is located on South County Road 16-A, south of the intersection with State Road 16-West. This parcel of land is largely undeveloped with just one mobile home.

A companion Rezoning application from AG to AR follows this Comprehensive Plan Amendment application.

Figure 1 – Location Map



Figure 2 – Parcel Map

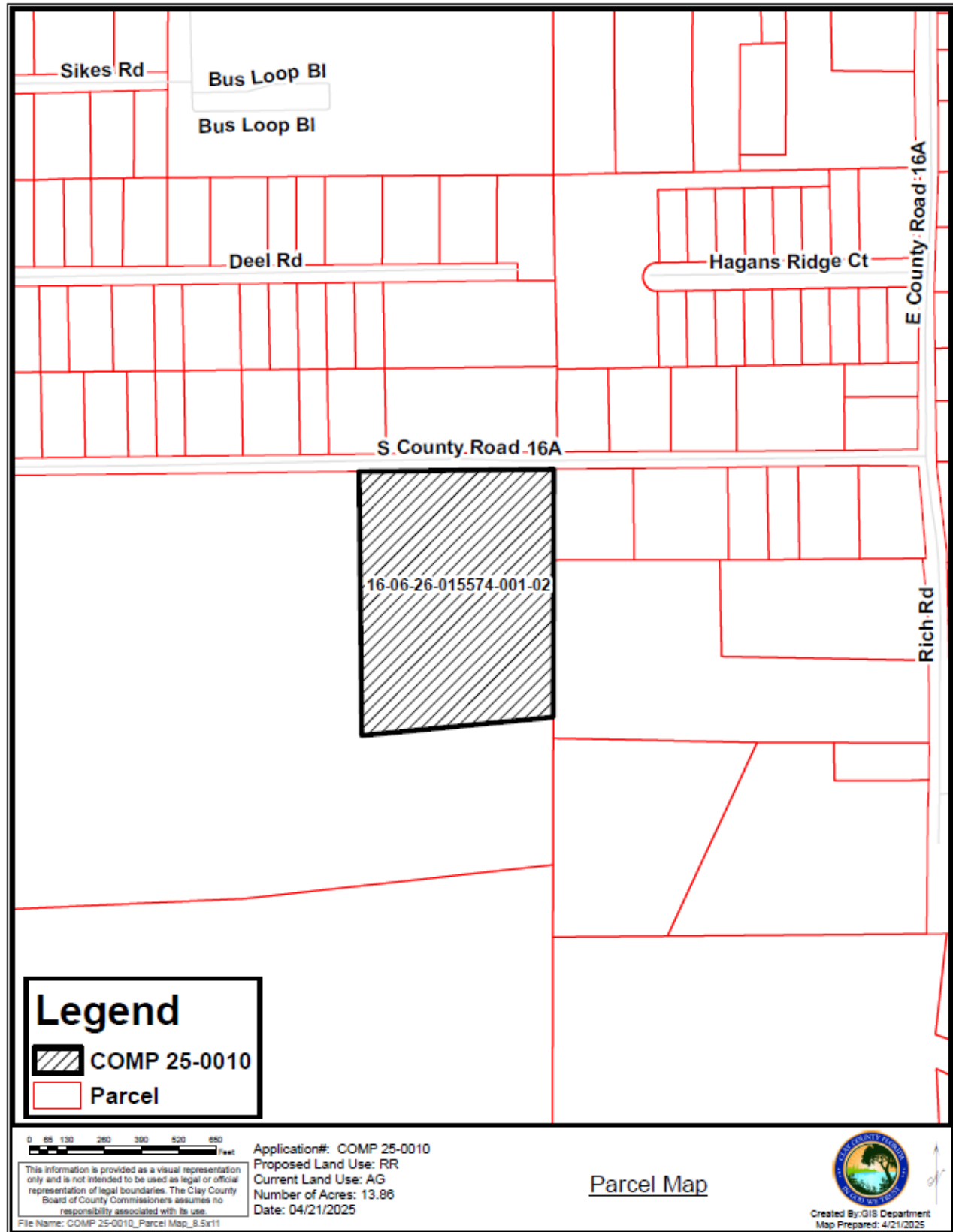


Figure 3 - Aerial Photo



Figure 4 – Existing Future Land Use Designation Map

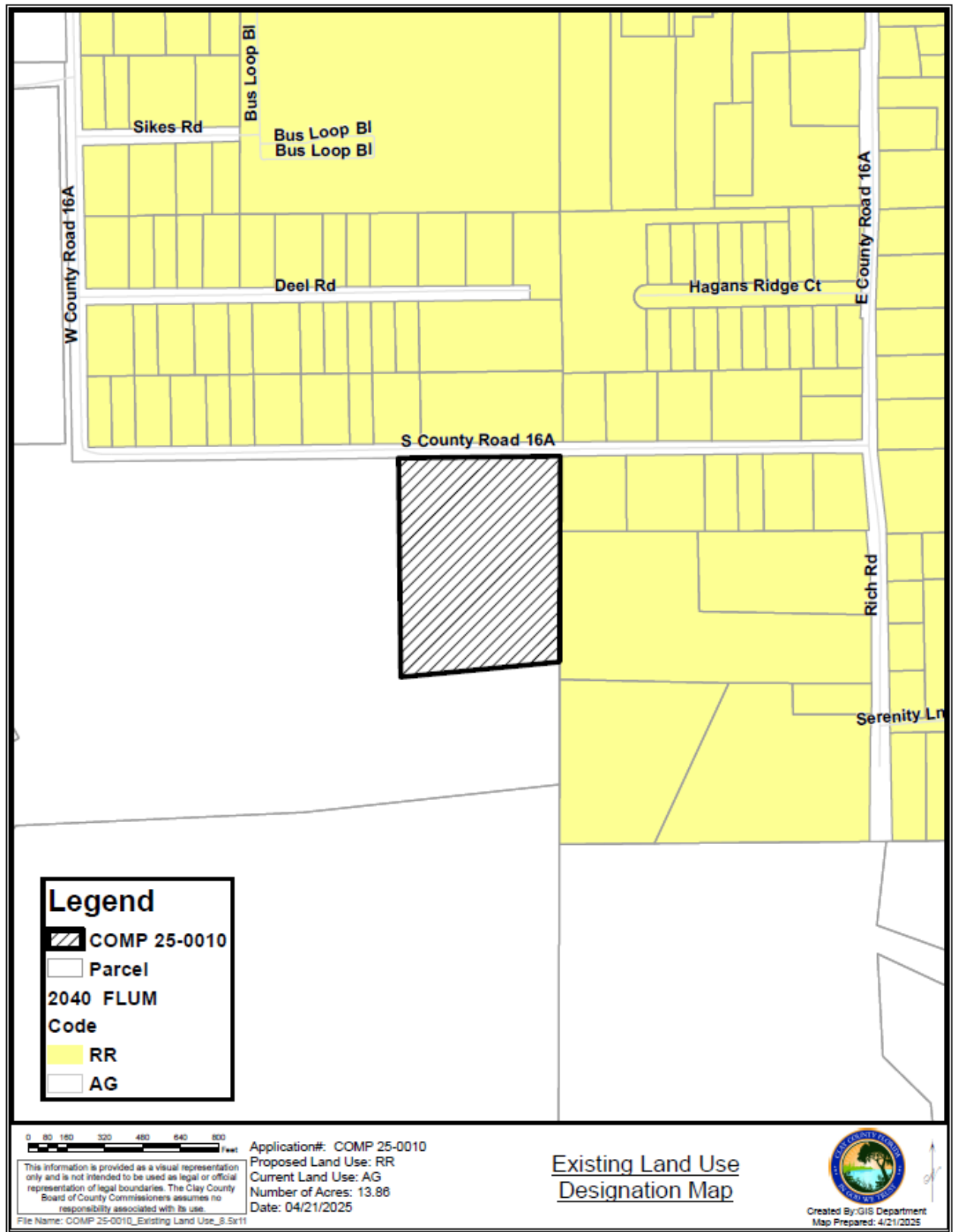


Figure 5 – Proposed Future Land Use Designation Map

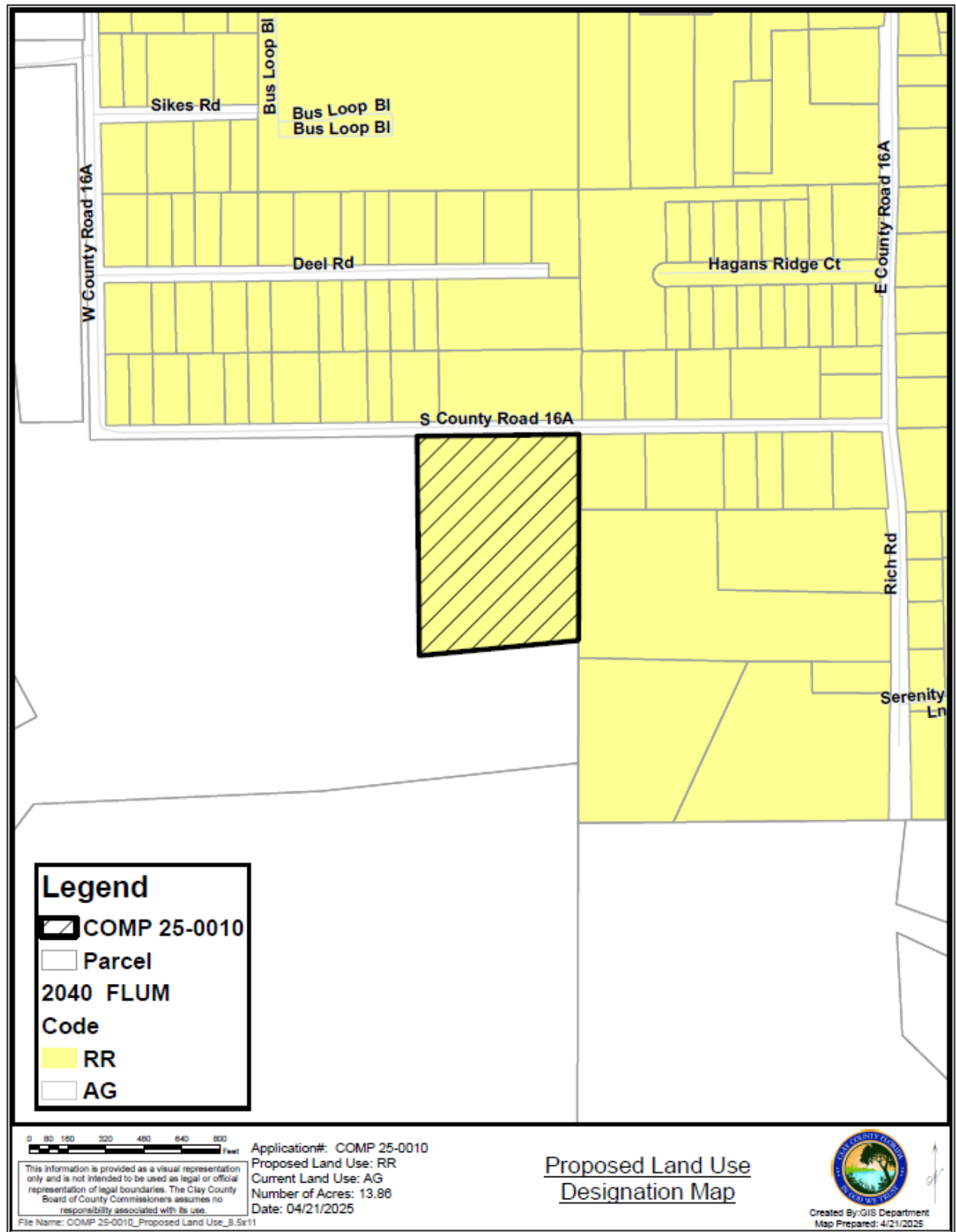
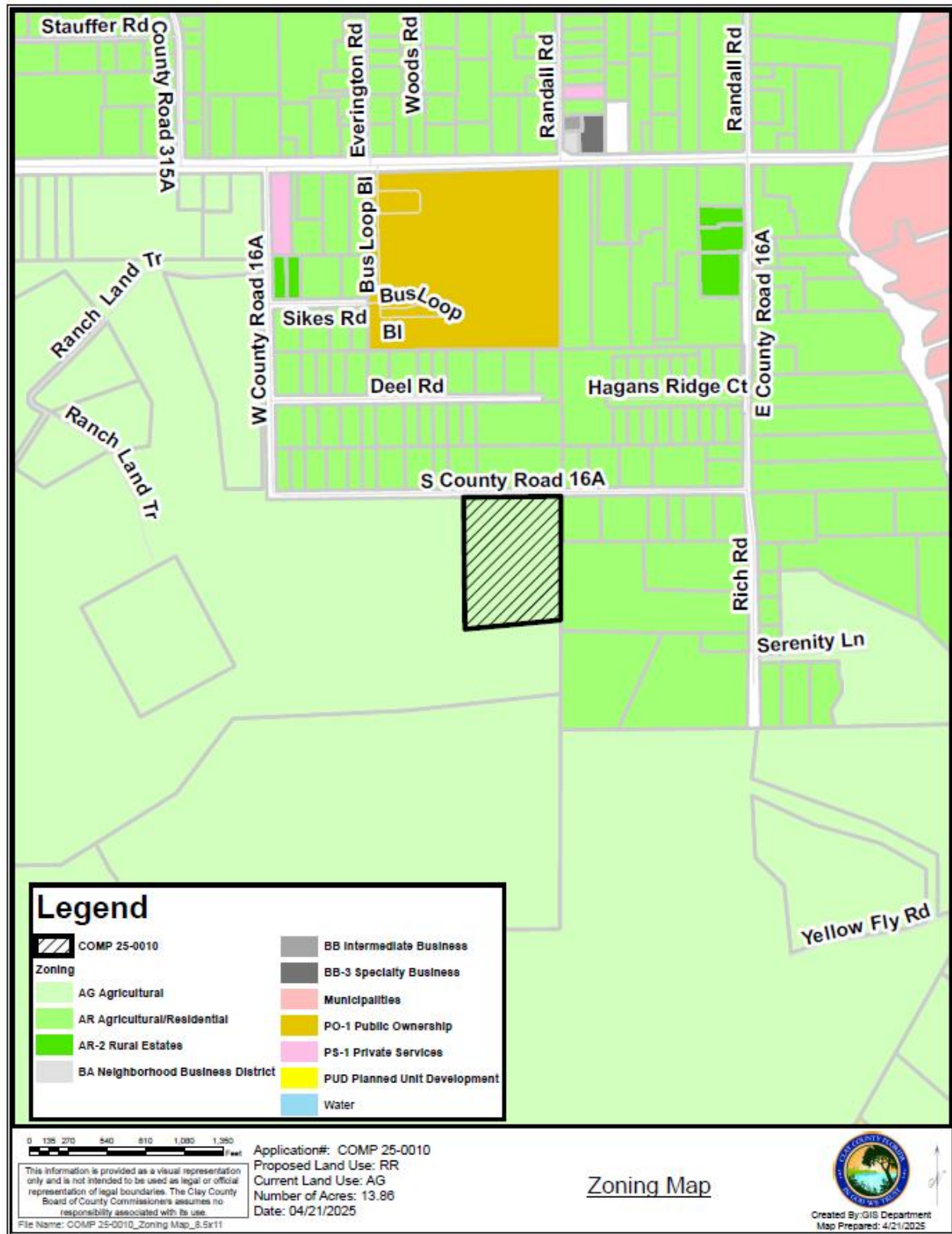


Figure 6 – Zoning Map



34 **Availability of Services**

35 Traffic Facilities:

36 The property has direct access to S County Road 16A, which is considered a local road. However, 16A leads
37 directly to State Road 16, which is planned to be widened from 2 to 4 lanes.

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

39 Schools:

40 Clay High School is located approximately 0.2 miles to the north of the parcel Charles Bennett Elementary
41 School is located approximately 1 mile to the northeast of the subject property. The Green Cove Middle
42 School is approximately 0.2 miles further to the east. There should be adequate student station capacity for
43 this Land Use change request.

45 Recreation:

46 There are several recreation opportunities within 4 miles of the site which include but are not limited to
47 Carl Pugh Park, and Vera Francis Hall Park to the northeast.

49 Water and Wastewater:

50 Water and sewer service will need to be acquired for any proposed development on the parcel. The parcel is
51 located within the Urban Service Area boundary.

53 Stormwater/Drainage:

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

56 Solid Waste:

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

59 **Land Suitability:**

60 Soils:

61 See Figure 7.

62 Flood Plain:

63 The subject parcel is located outside of the 100-year flood plain and is in flood zone X. See Figure 8.

64 Topography:

65 The subject parcel generally slopes from north to south with a gentle grade. The parcel's high point is at 63'.
66 See Figure 9.

67 Regionally Significant Habitat:

68 There are no indications of regionally significant habitat on the site. There has been a nuisance bear siting to
69 the east of the site. See Figure 10.

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

73 Compatibility with Military Installations:
74 The subject property is not located near Camp Blanding.

75

76 Analysis of Surrounding Uses

77 The proposed future land use amendment would change the total parcel acreage of (13.86+/- acres) from AG
78 (Agriculture) to RR (Rural Residential). This change would be in keeping with the contiguous land use
79 districts as shown in the table below:

	Future Land Use	Zoning District
North	Rural Residential	AR (Agricultural Residential)
South	Agriculture	AG (Agricultural)
East	Rural Residential	AR (Agricultural Residential)
West	Agriculture	AG (Agricultural)

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Figure 7 – Soil Map

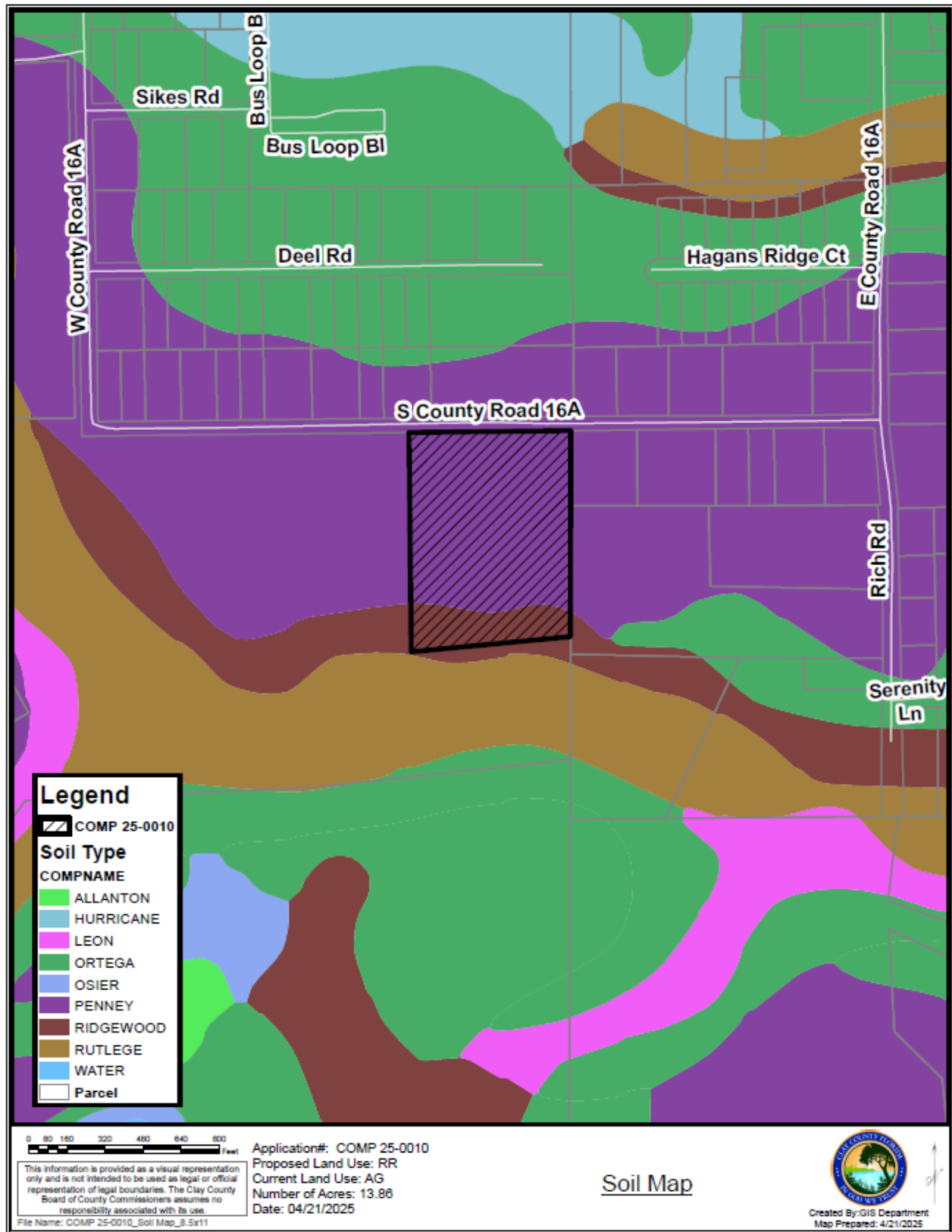


Figure 8 – Flood Zone Map

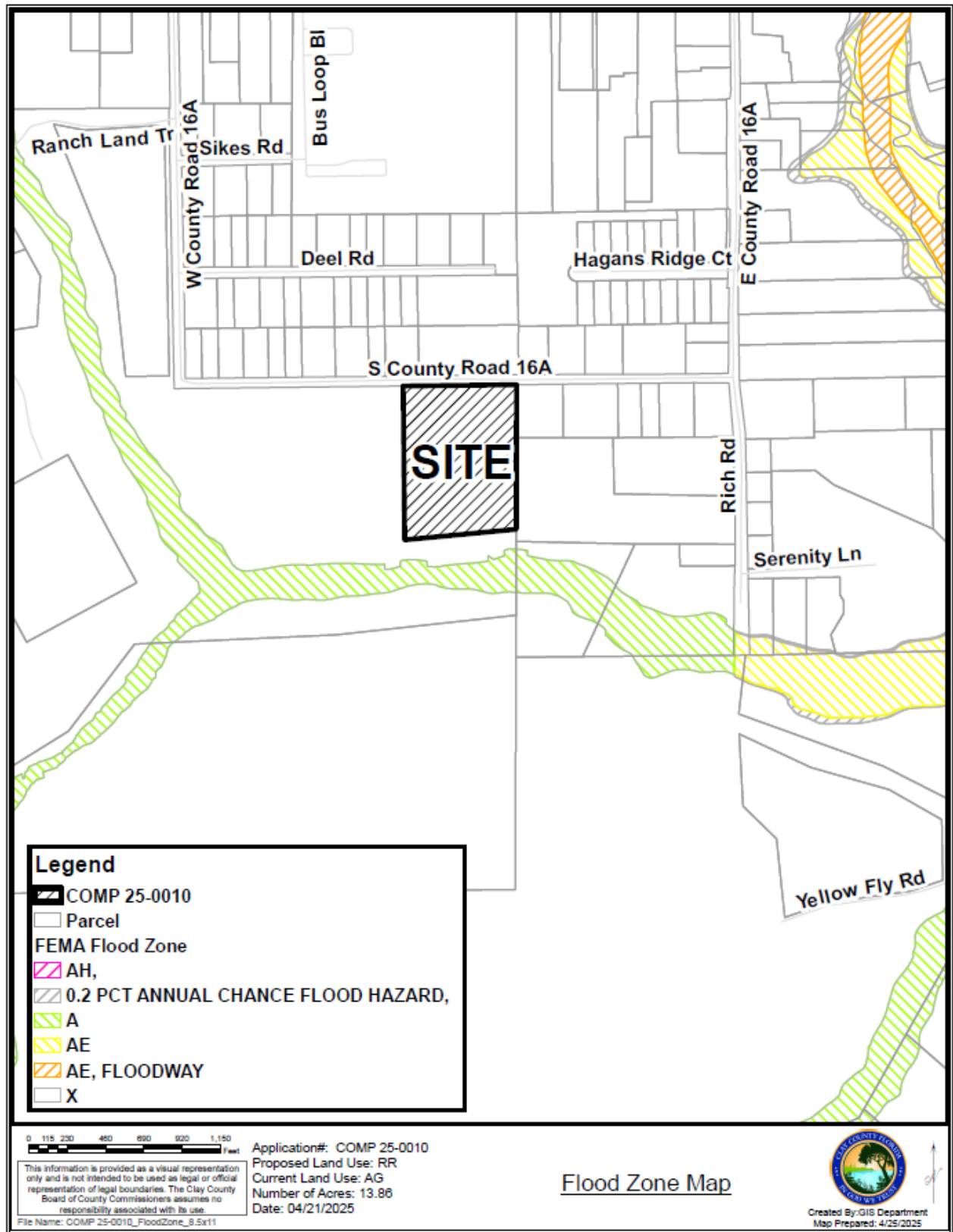


Figure 9 – Topography Map

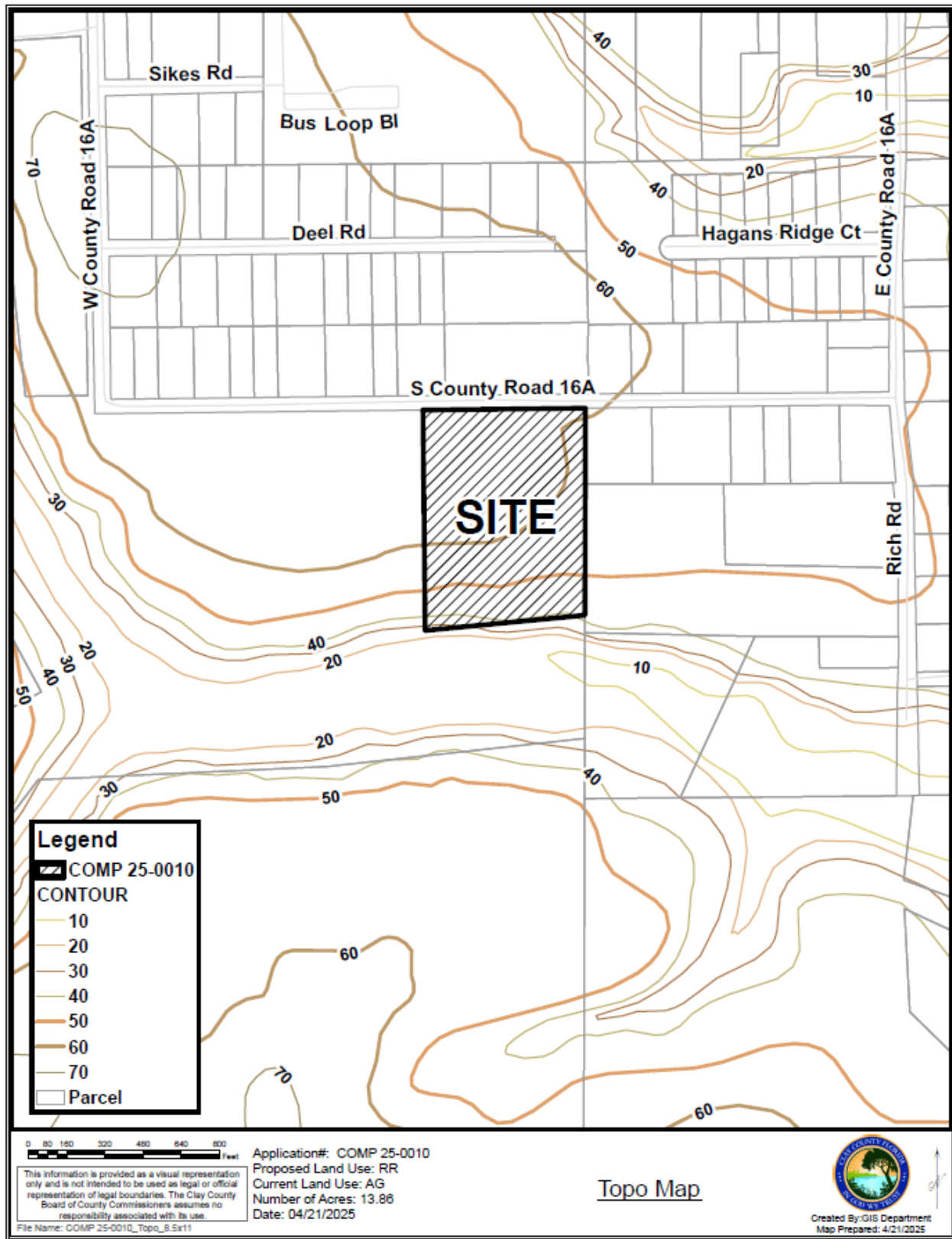


Figure 10 – Habitat Value Map

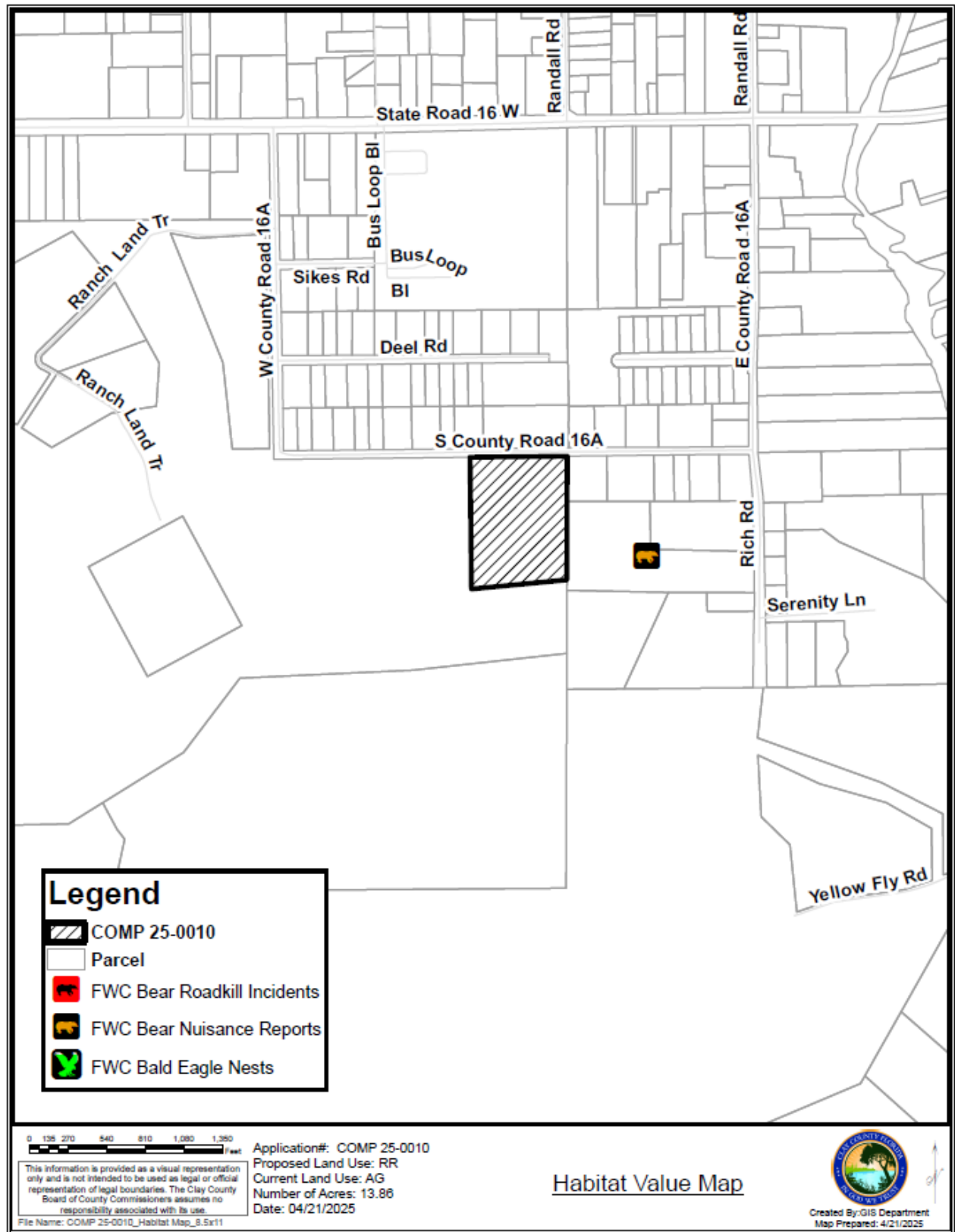
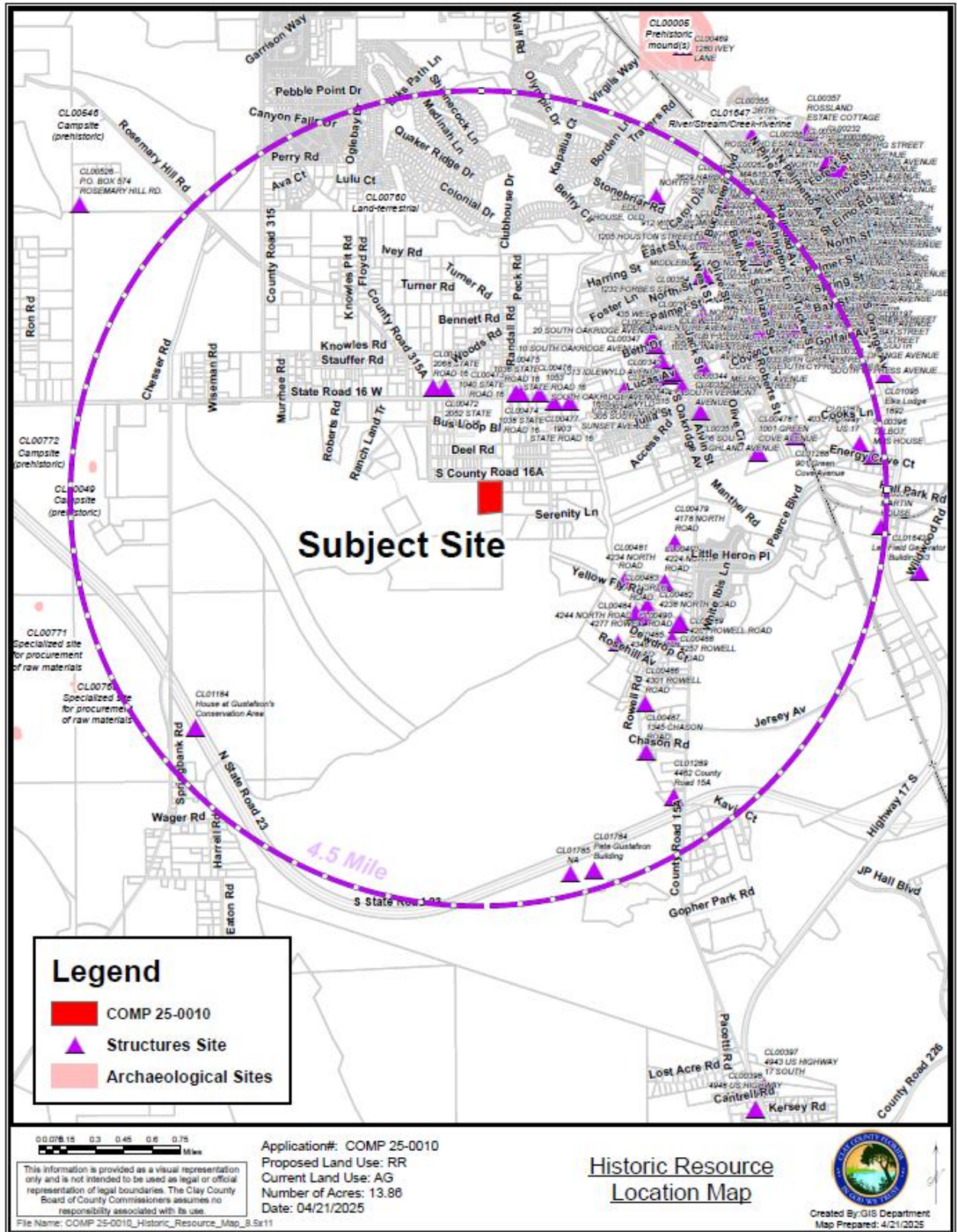


Figure 11 - Historical Resources



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

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

94 **FLU Policy 1.4.1.3 Rural Residential (RR)**

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

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

105 Allowable residential density under this category shall be one dwelling unit per 5 net acres.
106 Implementation of this land use designation shall occur in accordance with the Land Development
107 Regulations. Some locations in Rural Residential may qualify for a density of one unit per acre, but
108 only if the requirements of tract size, clustering and points in Future Land Use Objective 1.4 and its
109 policies are met. The parcel currently exceeds the 20-point minimum criteria for a higher density
110 than 1 du per 5 acres.

111 **FLU POLICY 1.4.4**

112 In order to provide for additional residential densities in the Agricultural/Residential and Rural
113 Residential areas while maintaining the rural character and availability of agricultural uses,
114 developments may occur at the higher of the two densities stipulated in this Element, provided that
115 such developments are clustered contiguously in a development tract on a portion of the parent tract,
116 subject to the following general requirements:

117 1) The minimum size of such development tract is shown in 2) following:

118 2) All subdivisions of land must retain permanent open space within the parent tract as follows:
119 Requirement Land Use Agriculture/Residential Rural Residential Subdivision Size 1-20 Lots Over 20
120 Lots 1-20 Lots Over 20 Lots Minimum Size of Development Tract 10 Acres 105 Acres 5 Acres 21
121 Acres Minimum Open Space Requirement (see c. below) 50% 50% 35% 35% Minimum Lot Size
122 Without Central Water and Sewer 1 Acre 1 Acre 0.5 Acre 0.5 Acre * The minimum lot size for
123 residential development of lands within ½ mile of Outstanding Florida Water (OFW) shall be one (1)
124 acre unless served by central water and/or sewer. 3) All open space required in this policy shall be
125 designated as permanent open space for use as preservation of natural areas and also for passive
126 recreation in the form of pedestrian walkways, bicycle paths, boardwalks, and docks built for water
127 access

FLU OBJ 1.1

The County shall regulate new development to ensure the preservation and protection of floodplains, wetlands, upland native vegetative communities, wildlife and fisheries. The Applicant will be required to secure proper permits in order to accommodate any stormwater runoff, to prevent any adverse effect to the surrounding properties should development on the parcel intensify.

Analysis Regarding Urban Sprawl

It is the intent of Clay County to discourage the proliferation of Urban Sprawl. As required by FS 163.3177(6)(a)9.b., all proposed comprehensive plan amendments are to be analyzed to ensure that urban sprawl and its negative impacts are not promoted. A future land use plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

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

Staff Finding I - The request is not seeking to establish strip development in an inconsistent pattern. Instead the development will continue the existing patterns to the north and east of the parcel.

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

Staff Finding II -The request is not establishing urban development in a rural area of the county but instead development consistent with the infrastructure investment that is already in place within the urban service boundary, i.e. schools, fire stations, road networks, etc.

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

Staff Finding III -The request will take full advantage of the existing public facilities within close proximity to the site

(IV) Promotes conservation of water and energy.

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

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

Staff Finding VII -The request will serve as a transition from the higher intensities to the north and east and the rural lands to the west and south.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. [163.3164](#).

Staff Finding VIII - The proposed amendment could be considered an infill development project as the land is located within the urban service boundary and located between the first coast expressway and intense commercial development to the east. The request allows the utilization of existing public resources as mentioned above and does not encroach into the adjacent lower densities.

Recommendation

The Springs Citizen Advisory Committee heard the item at their meeting on May 14 and made a recommendation of approval 6-0.

Based on the facts presented in the report above, Staff recommends approval of COMP 25-0010.

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. 2025-10, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF A SINGLE PARCEL (TAX PARCEL IDENTIFICATION #16-06-26-015574-001-02), TOTALING APPROXIMATELY 13.86+/- ACRES, FROM AGRICULTURAL (AG) 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 2045 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 25-0010, 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. 2025-10, 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 # 16-06-26-015574-001-02), totaling approximately 13.86+/- acres, described in Exhibit “A-1”, and depicted in Exhibit “A-2” is hereby changed from Agricultural (AG) 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 June, 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"

(13.86 Acres more or less)

A Parcel of land situated in the Northwest One Quarter (NW 1/4) and in the Southwest One Quarter (SW 1/4) of Section 16, Township 6 South, Range 26 East; Clay County, Florida; Said Parcel being shown on a Boundary Survey prepared by Mark E. Hardenbrook, Florida Professional Surveyor and Mapper No 5500, Dated October 16, 2012 as a portion of lands described in Official Records Book 3104, Page 845 thru 847 of the public records of said County and more particularly described as follows:

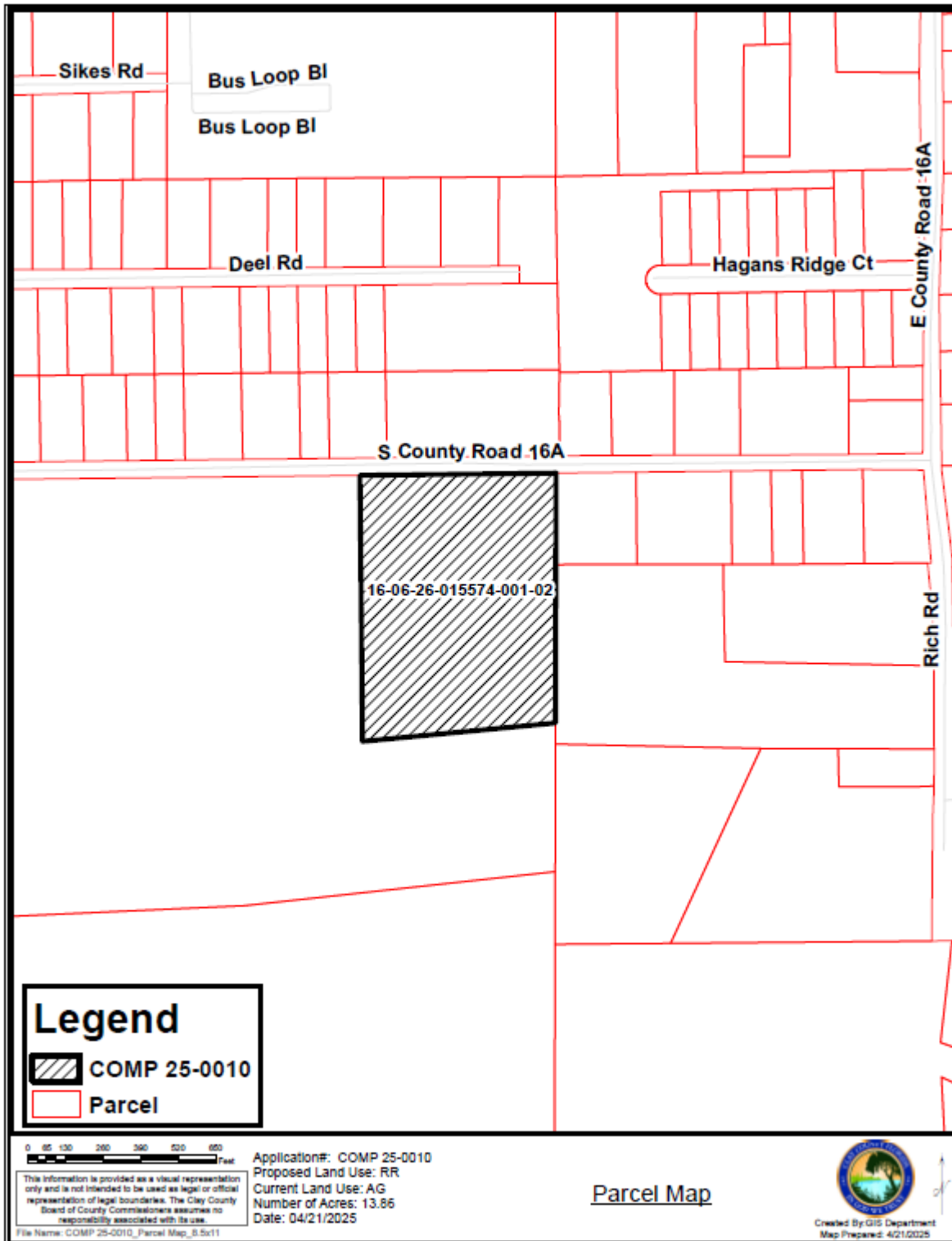
Commence at an Iron Pipe on the Southerly right of way line of County Road No. 16-A at the Northwest corner of lands described in Official Records Book 22 on page 411 of the public records of said county and run S 89 deg 20 min 57 sec W, along said right of way line, 91.0 feet; thence run leave said southerly line and run S 00 deg 07 min 53 sec W, 25.95 feet to an Iron Rod and the Point of Beginning; thence continue S 00 deg 07 min 53 sec W, 869.83 feet to an Iron Rod; thence run S 84 deg 32 min 05 sec W, 671.27 feet to an Iron Rod; thence run N 00 deg 35 min 43 sec W, 921.58 feet to an Iron Rod; thence run N 88 deg 58 min 11 sec E, 679.89 feet to the Point of Beginning.

Together with:

PARCEL E-4 (Easement for Access)

An Easement for Ingress, Egress and Access across the Easterly Most 30 feet of those lands lying between and adjacent to the South Right of Way line of County Road No. 16-A and the North line of the above described lands.

Exhibit "A-2"





Staff Report and Recommendations for ZON 25-0007

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 / Applicant Information:

Owner: Sheryl Gustafson
Agent: Danielle Kitchens
Phone: 904-497-3185
Email: DANISELLSFLA@GMAIL.COM

Property Information

Parcel ID: 16-06-26-015574-001-02	Parcel Address: 2005 S CR 16-A
Current Land Use: AG (Agricultural)	Current Zoning: AG (Agricultural)
Proposed Land Use: RR (Rural Residential)	Total Acres: 13.86 +/- acres portion of the parcel
Proposed Zoning: AR (Agricultural residential)	Acres affected by FLU change: 13.86 +/- acres
Commission District: 5, Comm. Burke	Planning District: The Springs

Introduction:

This application is a rezoning to change a single parcel of land (13.86 acres) from Agricultural (AG) to Agricultural Residential (AR).

The subject parcel is located on South County Road 16-A, south of the intersection with State Road 16-West. This parcel of land is largely undeveloped with one mobile home.

A companion Comprehensive Plan Amendment application (COMP 25-0010) preceded this application.

Figure 1 – Location Map



0 1,700 3,400 6,800 Feet

Location Map
Rezoning: ZON 25-0007



Figure 2 – Parcel Map

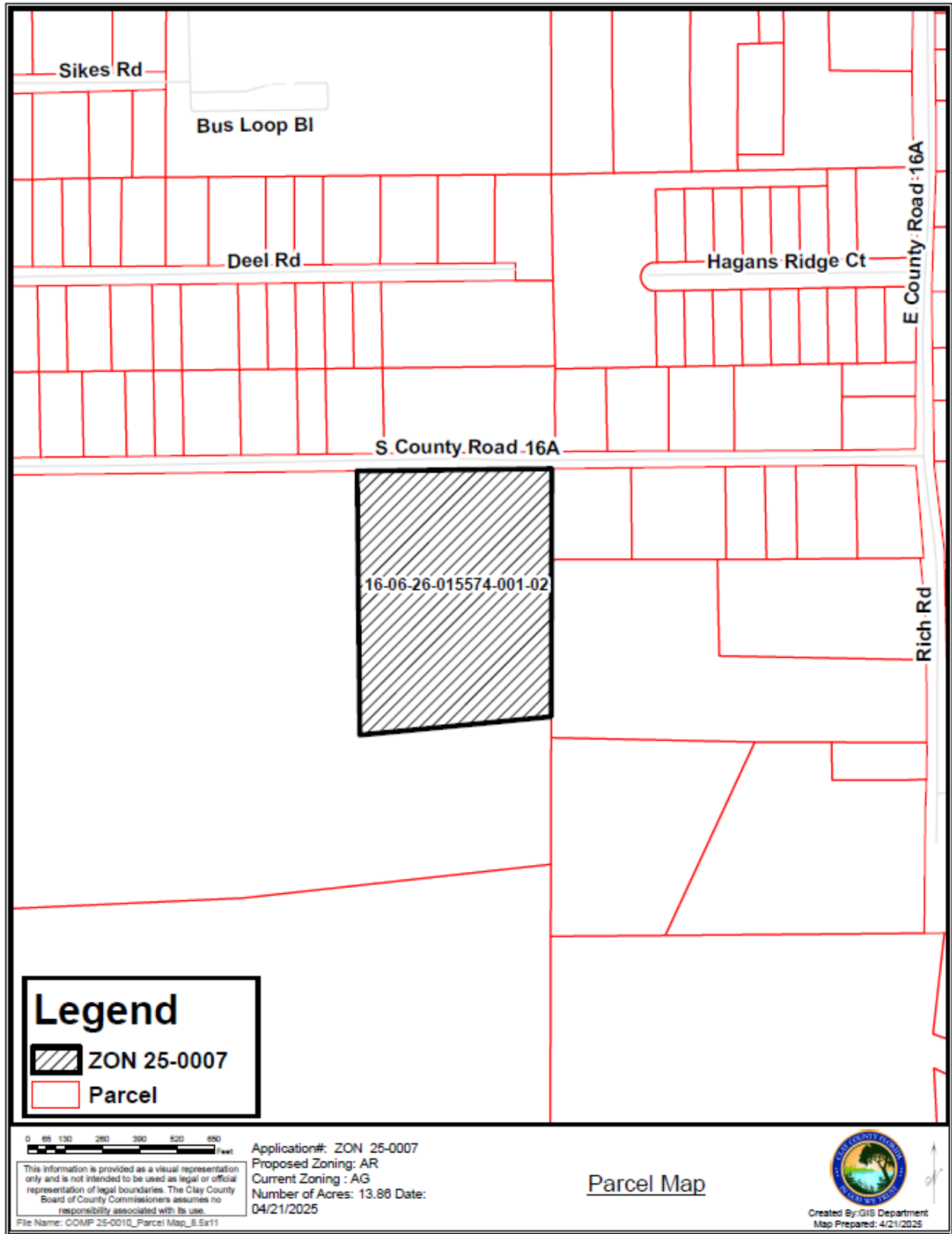
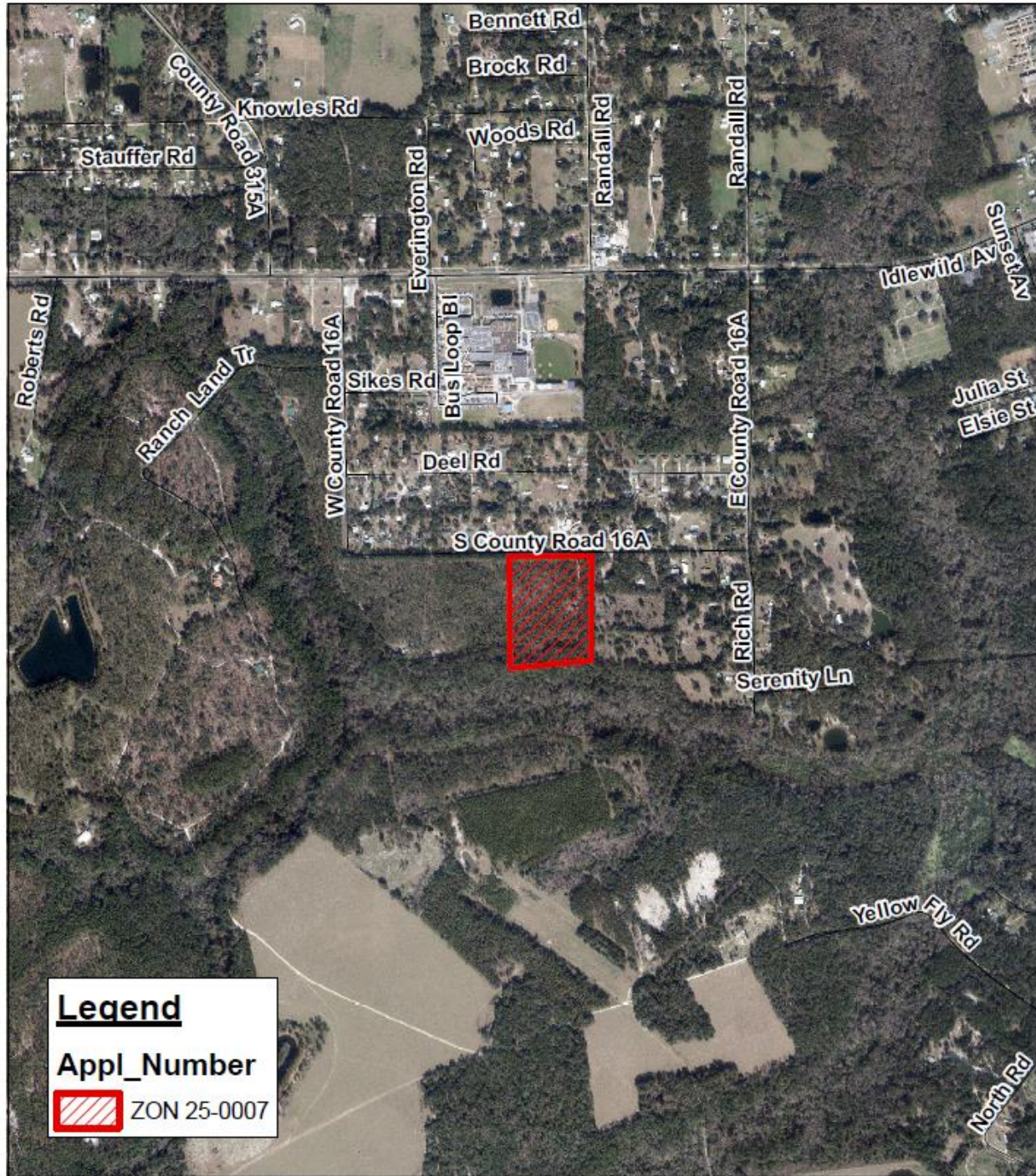


Figure 3 - Aerial Photo



0 500 1,000 2,000 Feet

Rezoning: ZON 25-0007
from AG to AR



Figure 4 – Existing Zoning Map

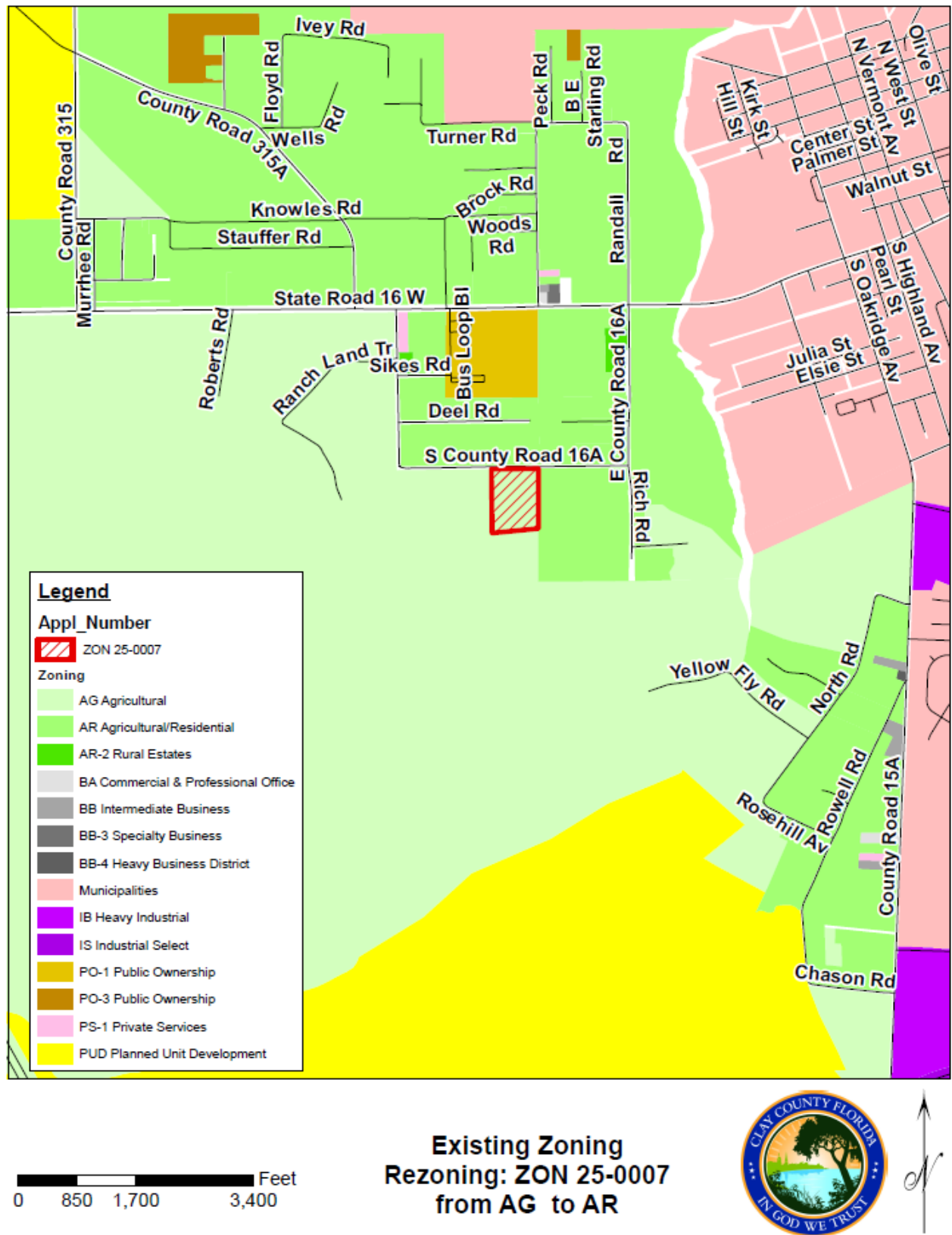
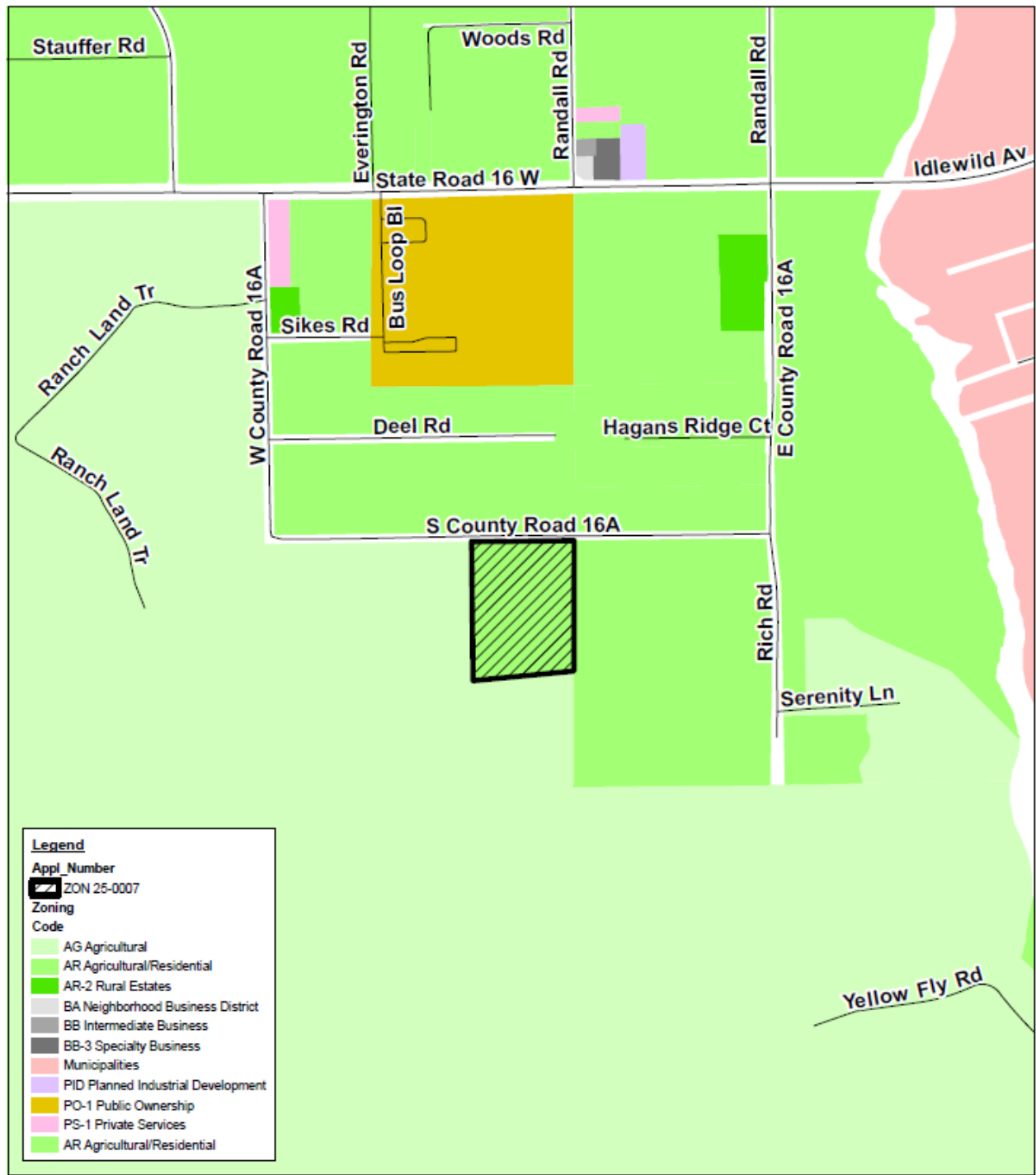


Figure 5 – Proposed Zoning Map



0 425 850 1,700 Feet

**Proposed Zoning
Rezoning: ZON 25-0007
from AG to AR**



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Relevant Clay County 2045 Comprehensive Plan Policies

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

FLU OBJ 1.1

The County shall regulate new development to ensure the preservation and protection of floodplains, wetlands, upland native vegetative communities, wildlife and fisheries.

FL U POL ICY 1.1.1

- The County shall review all proposed developments in relation to specific and detailed provisions which at a minimum:
- 1) Regulate the subdivision of land;
 - 2) Regulate the use of land and water bodies consistent with this Element and ensure the compatibility of adjacent land uses
 - 3) Provide for open space;
 - 4) Ensure the protection of native vegetation and trees;
 - 5) Protect the conservation areas designated on the Future Land Use Map;
 - 6) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;
 - 7) Protect potable water wellfields and aquifer recharge areas;
 - 8) Protect against adverse impacts to wildlife and their habitats

FLU POL ICY 1.4.3

The County shall review all proposed development activity for consistency with the Future Land Use Element, *Future Land Use Map Series* and the following densities and intensities of use:

Per the policy table the parcel could have:1du/5 acres as a base density or 1 du/acres with points and clustering.

Analysis of Proposed Rezoning Amendment

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

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

Staff Finding: The application will not create an isolated district as the lands to the north and east share a similar zoning district.

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

66 *Staff Finding: The boundaries were not illogically drawn at the time the property was initially zoned. Since*
67 *that time the area is transitioning to higher intensities with additional capital investments of schools, fire*
68 *stations and transportations systems.*

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

71 *Staff Finding: The conditions are changing with the additional investments as outlined above.*

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

73 *Staff Finding: The subject property can be used with the existing zoning.*

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

76 *Staff Finding: The proposed zoning would further the goals and objectives of the Plan by providing housing*
77 *opportunities with in close proximity to existing services, thereby reducing VMT and taking advantage of*
78 *existing infrastructure in the area.*

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

81 *Staff Finding: There is no public purpose served by keeping the zoning district boundaries in their current*
82 *locations on the subject parcel. By making a change to the zoning district the public may be served by*
83 *developing residential lots within close proximity to essential services versus sprawl development.*

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

86 *Staff Finding: The proposed rezoning will not be inconsistent with the surround land use.*

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

89 *Staff Finding: There is adequate supply of sites within the County, however the number is limited with the*
90 *proximity to essential services and transportation investments.*

91 **Analysis of Surrounding Uses**

92 The proposed zoning district amendment would change the total parcel acreage of (13.86+/- acres) from AG
93 (Agricultural) to AR (Agricultural/Residential). This change would be in keeping with the evolving character
94 of the surrounding districts as shown in the table below:

	Future Land Use	Zoning District
North	Rural Residential	AR (Agricultural Residential)
South	Agriculture	AG (Agricultural)
East	Rural Residential	AR (Agricultural Residential)
West	Agriculture	AG (Agricultural)

95

96

97 **Recommendation**

98 The Springs Citizen Advisory Committee heard this item at their May 14th meeting and provided a
99 recommendation of approval 6-0.

100 Based on the eight criteria in the Report, Staff recommends approval of ZON 25-0007.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY FLORIDA, PURSUANT TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED PURSUANT TO ORDINANCE 93-16, AS AMENDED, PROVIDING FOR THE REZONING OF A SINGLE PARCEL (TAX PARCEL IDENTIFICATION # 16-06-26-015574-001-02), TOTALING APPROXIMATELY 13.86+/- ACRES, FROM AGRICULTURAL (AG) 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 25-0007, seeks to rezone certain real property totaling 13.86 acres (tax parcel identification # 16-06-26-015574-001-02) (the Property) described in Exhibit “A-1”, and depicted in Exhibit “A-2”.

Section 2. The Board of County Commissioners approves the rezoning request. The zoning of the Property is hereby changed from the present zoning classification of Agricultural (AG) 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 as provided by law.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of June, 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 Comptrolle
Ex Officio Clerk to the Board

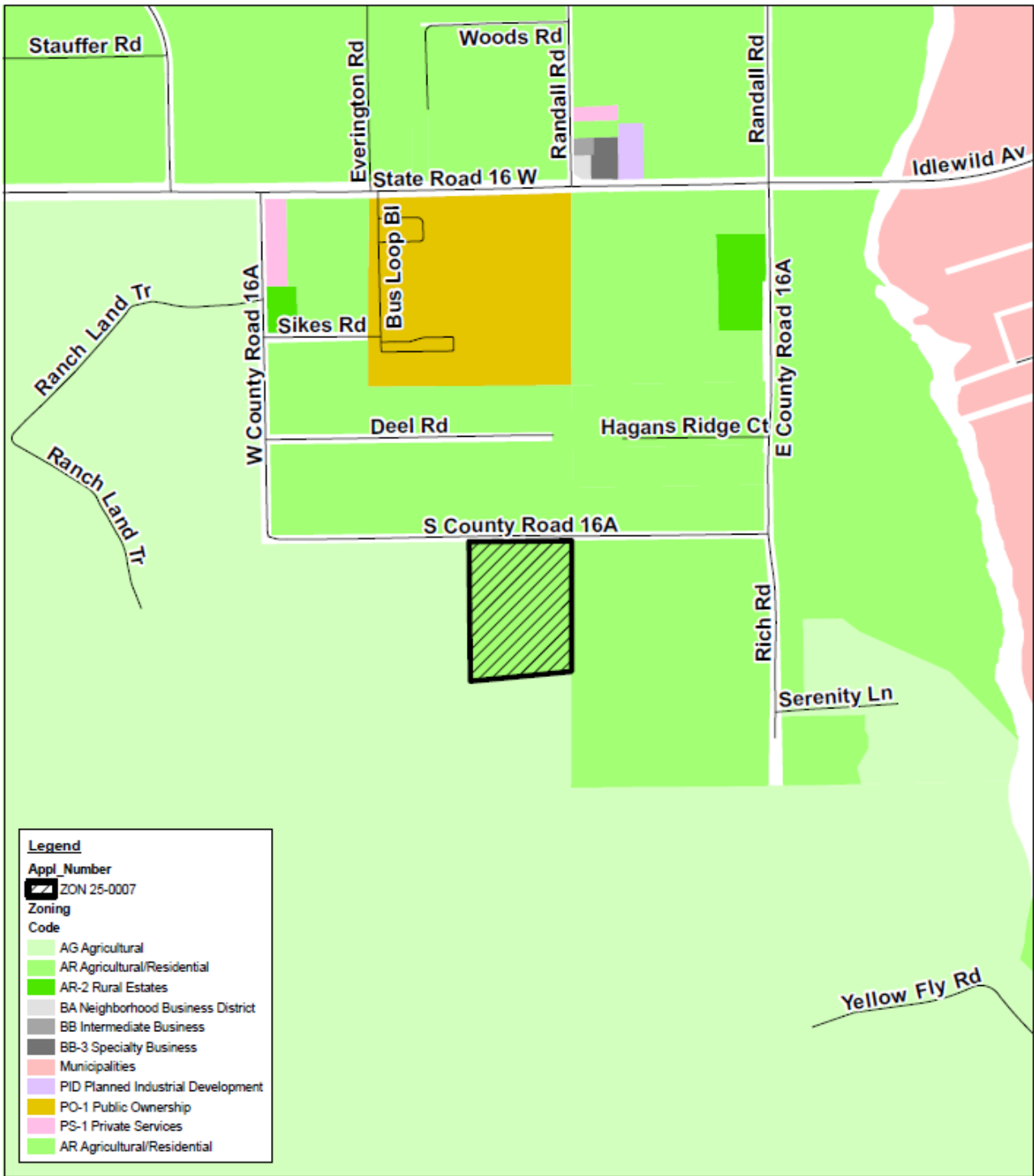
Exhibit "A-1"

PARCEL LYNN (13.86 Acres more or less)

A Parcel of land situated in the Northwest One Quarter (NW 1/4) and in the Southwest One Quarter (SW 1/4) of Section 16, Township 6 South, Range 26 East; Clay County, Florida; Said Parcel being shown on a Boundary Survey prepared by Mark E. Hardenbrook, Florida Professional Surveyor and Mapper No 5500, Dated October 16, 2012 as a portion of lands described in Official Records Book 3104, Page 845 thru 847 of the public records of said County and more particularly described as follows: Commence at an Iron Pipe on the Southerly right of way line of County Road No. 16-A at the Northwest corner of lands described in Official Records Book 22 on page 411 of the public records of said county and run S 89 deg 20 min 57 sec W, along said right of way line, 91.0 feet; thence run leave said southerly line and run S 00 deg 07 min 53 sec W, 25.95 feet to an Iron Rod and the Point of Beginning; thence continue S 00 deg 07 min 53 sec W, 869.83 feet to an Iron Rod; thence run S 84 deg 32 min 05 sec W, 671.27 feet to an Iron Rod; thence run N 00 deg 35 min 43 sec W, 921.58 feet to an Iron Rod; thence run N 88 deg 58 min 11 sec E, 679.89 feet to the Point of Beginning.

TOGETHER WITH: An Easement for Ingress, Egress and Access across the East 30 feet of those lands lying between the South Right of Way line of County Road No. 16-A and the North line of the above described lands.

Exhibit "A-2"



0 425 850 1,700 Feet

**Proposed Zoning
Rezoning: ZON 25-0007
from AG to AR**

