



HISTORIC PRESERVATION BOARD

April 3, 2025

5:30 PM

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

Call to Order

Approval of Minutes

Minutes from the March 6, 2025 Historic Preservation Board Meeting

Public Comment

Old Business

1. Update on Historic Marker Progress

Historic Preservation Board Members will provide progress updates on the historic marker projects.

- A. Fort 11 - Gerard Casale
- B. Keystone Heights - Deirdre Murphy
- C. Middleburg Museum/Civic Center - Gerard Casale

New Business

1. Nominating Committee for Officers

Under Article XII, Sec. 12-7(10) of the County's Land Development Code, the Historic Preservation Board is to form a Nominating Committee no later than the April meeting and propose a slate of candidates for Chairperson, Vice-Chairperson and Secretary for the May meeting. Officers are to be elected from nominations received from the committee and/or the floor at the June meeting.

2. Marker and Sign Alternatives

Discussion of street signage and alternatives to State Markers.

Public Comment

Staff Comments

Board Member's Comments

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
HISTORIC PRESERVATION BOARD

Clay County Administration Building
Thursday, April 3 5:30 PM

TO: Historic
Preservation Board

DATE:

FROM: Beth Carson,
Director, Planning and
Zoning

SUBJECT:

AGENDA ITEM
TYPE:

ATTACHMENTS:

Description	Type	Upload Date	File Name
Minutes from the March 6, 2025 Historic Board Meeting	Backup Material	3/31/2025	Historic_Preservation_Board_Meeting_Minutes_and_Attachment_March_6__2025.ADA.pdf



HISTORIC PRESERVATION BOARD MEETING MINUTES

March 6, 2025

5:30 PM

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

Call to Order

Present: Billy Gould, Chairman
Dr. Maureen Jung
Melissa Clearman
Gerard Casale @ 5:32 pm
Shawn Atwell
Randy Harris

Absent: Deirdre Murphy, Vice-Chairman
Terry Knight

Staff Present: Beth Carson, Director of Planning and Zoning

Chairman Billy Gould called the meeting to order at 5:30 pm.

Approval of Minutes

Minutes from the Historic Preservation Board Meeting February 6, 2025

Randy Harris made a motion for approval of the Historic Preservation Board Meeting minutes for February 6, 2025, seconded by Dr. Maureen Jung, which carried 5-0.

Public Comment

Public Comment can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Historic Preservation Board/March 6, 2025](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Historic%20Preservation%20Board/March%206,%202025), beginning at 00:42 and ending at 2:54. Below is a summary of the discussion.

Chairman Billy Gould opened the floor for public comment at 5:30 pm.

Kathy Kass, 3004 Oak Road, Orange Park, Florida, addressed the Board to request an update and provide more information on adding preservation of cemeteries as part of the Board's duties.

Hearing no other comments, Chairman Billy Gould closed public comment at 5:33 pm.

Old Business

1. Update on Historic Marker Progress

Historic Preservation Board Members will provide progress updates on the historic marker projects.

A. Middleburg Colored School - Dr. Maureen Jung / Beth Carson

- B. Fort 11 - Gerard Casale
- C. Keystone Heights - Deirdre Murphy
- D. Middleburg Museum/Civic Center - Gerard Casale

Historic Marker updates can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Historic Preservation Board/March 6, 2025](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Historic%20Preservation%20Board/March%206,%202025), beginning at 2:56 and ending at 9:32. Below is a summary of the discussion.

Middleburg Colored School:

Dr. Maureen Jung addressed the Board to provide details and information regarding the progress and update for the Middleburg Colored School. Dr. Jung spoke about finishing up the details and finalizing the application to submit the information to the state.

There were comments and discussions regarding the location for the signage and finalizing the application to get it submitted.

Fort 11:

Gerard Casale addressed the Board to provide details and information regarding the Fort 11 update. Mr. Casale mentioned the one-sided sign and language/text for the sign.

There were questions and discussions regarding one-sided vs. two-sided signs, the type of sign to be displayed - state marker, and the importance of Fort 11.

Keystone Heights:

Chairman Billy Gould addressed the Board to provide details and information regarding the Keystone Heights marker update. The project is under the direction of the Keystone Heights Heritage Commission.

Middleburg Museum/Civic Center:

Gerard Casale addressed the Board to provide details and information regarding the Middleburg Museum and Civic Center. Mr. Casale noted the language/text has been written; however, due to waiting for the state to reconvene, he continues to research for more sources and information.

There were questions and discussions regarding submitting applications to the state and the backlog and timeframe for review by the state.

New Business

1. State Historic Marker For Consideration - Pleasant Point Cemetery

Mr. Steven Griffith submitted an application for the Historic Preservation Board's consideration for a marker to commemorate the Pleasant Point Cemetery.

Consideration for marker can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Historic Preservation Board/March 6, 2025](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Historic%20Preservation%20Board/March%206,%202025), beginning at 9:33 and ending at 26:59. Below is a summary of the discussion.

Chairman Billy Gould opened the floor to provide details and information regarding the application

submitted by Mr. Griffith for Pleasant Point Cemetery, as mentioned above.

Mr. Griffith addressed the Board to provide additional documentation and more information on the cemetery. See Attachment A.

There were questions and discussions regarding language/text, number of characters, one-sided vs. two-sided signage, placement, ownership of the cemetery, statute regarding maintenance of abandoned cemeteries, authority to place a marker, budget, costs for markers, applications submitted, timeline and process for providing information and filling out applications and requirements, data provided on CCPAO for the cemetery - Woodlawn, timeline for moving forward, thoughts on tabling the project to get more information and the significance of preserving the cemetery.

Following all discussions, the Board reached a consensus to allow Mr. Griffith to continue gathering information while waiting for clarification from staff on being able to move forward.

Certificates of Approval

There were no certificates for approval.

Public Comment

Chairman Billy Gould opened the floor for public comment at 5:57 pm.

Hearing no comments, Chairman Billy Gould closed public comment at 5:57 pm.

Staff Comments

Staff Comments can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Historic Preservation Board/March 6, 2025](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Historic%20Preservation%20Board/March%206,%202025), beginning at 27:15 and ending at 27:44. Below is a summary of the discussion.

Beth Carson, Director of Planning and Zoning, mentioned that April is the timeframe for the HPB to reorganize the board, choosing the new Chairman and Vice-Chairman.

Board Member's Comments

Board Comments can be seen at [www.claycountygov.com/government/clay-county-tv-and-video-archive/Historic Preservation Board/March 6, 2025](http://www.claycountygov.com/government/clay-county-tv-and-video-archive/Historic%20Preservation%20Board/March%206,%202025), beginning at 27:46 and ending at 1:00:10. Below is a summary of the discussion.

Billy Gould, Chairman, requested clarification on abandoned cemeteries.

Beth Carson, Director of Planning and Zoning, noted she was unsure and will review the statute mentioned previously and follow up with the Board.

There were questions and discussions regarding purchasing land with a cemetery, how the land owner moves forward, the protection of burial sites, researching/designation of cemeteries, rezoning, and updating the master file.

Ms. Carson asked for clarification from Ms. Kass on what her intentions were regarding volunteering -or applying to be on the commission.

Ms. Kass spoke about volunteering to be on the Board, her focus being the preservation of cemeteries, and her experience and knowledge.

Ms. Carson provided information on how to apply to become a board member.

There were questions and discussions regarding forming a preservation of cemetery committee, the importance of preserving sacred grounds of burial sites, and the process for the county to take over abandoned cemeteries.

Shawn Atwell requested clarification on the budget disbursement and project funding that has been committed for signage, etc.

Billy Gould, Chairman, provided details and information on projects that are in the works - Branan Field, Middleburg Colored School, and St. Mary's Episcopal Church, which will take up most of the funding if they come through from the State. The budget given is roughly \$7,000.00, and if so, the other projects needing funding are Fort 11 and the Middleburg Museum/Civic Center.

There were continued conversations and questions regarding the HPB budget, dedicated funding for this year and next, HPB work plan, time frame for moving forward with markers on order, alternative to state markers, county vs state signs, material of county signs, and costs for county vs. state signage, projects to place county signs, and the previous county marker program.

Dr. Maureen Jung spoke about comments at the previous meeting regarding board members' satisfaction with language/text and reviewing early drafts vs. finished text with documentation.

There were comments and discussions regarding board members taking on projects, reviewing information, and trusting their fellow members to do their due diligence when researching projects and satisfying the requirements of the state.

Gerard Casale requested clarification about the funding for the training modules that have been offered to the board.

There were comments and discussions regarding the funding - NAPC Membership, training process, costs, topics of training, and upcoming training.

Mr. Casale also mentioned other candidates for a county sign - Judge Rivers House and Fort San Francisco de Pupo, and offered information on the site and spoke about archeologists who would do a survey.

There were follow-up questions and discussions regarding funding/budget for signage alternatives - county vs. state, the process, updating the master site file, and maintenance of the markers.

Adjournment

Hearing no further business, Chairman Billy Gould adjourned the meeting at 6:30 pm.

Attest:

Committee Chairman

Recording Deputy Clerk

Attachment
“A”
Pleasant Point Cemetery
Information

Pleasant Point Cemetery

AKA: Woodlawn Cemetery

Green Cove Springs, Florida

Pleasant Point Cemetery (also known as Woodlawn Cemetery) is located approximately 50 miles south west of Jacksonville Florida in Green Cove Springs, Florida. It rests just off of County Rd 209 about a half a mile north of Magnolia Cemetery. Magnolia is recognized as an Historic Civil War Cemetery, It sits on the west side of the road across from the Saint Johns River. Pleasant Point's coordinates are 30.16592 N, 81.699639 W. It is currently severely overgrown and only a few grave monuments are still visible above ground. The web site Find a Grave lists 33 confirmed individuals buried at Pleasant Point. (Link is included ⁵²below). However, It is likely that as many as 50 individuals were laid to rest there. The cemetery is referred to as a "Negro Cemetery" in historical documents and is listed as such in the manuscript, "They Are Here" Cemeteries of Clay County, Florida" by Elizabeth R. Spencer. Based on current information Pleasant Point appears to have been used from the late 1800s until the 1930s. The oldest documented grave is date 1856. There are two Civil War Veterans buried there and one is George Elis Forrester who was a descendent of Cecil Forester the first freed black slave in the Clay County. Also, some burials have connections to the Black Freemasons as demonstrated by engravings on some of the headstones. Finally, Pleasant Point Cemetery is located in a beautiful and historic area close to the Saint Johns River where several Civil War skirmishes took place.

Documented Burials at Pleasant Point

*(Signifies a visible memorial)

1. Catherine Andrews 1856 – Unknown
2. Hanna Andrews Unknown
3. James Andrews Unknown
4. Emma *Stewart* Bennett 1901 – 12/20/1932
5. Henry Bennett 8/16/1889 – 2/7/1961 Veteran
6. William Berring 4/12/1877 – 6/4/1933
7. Emma Eugene 4/11/1876 – 8/1881
8. *Susan L. *Andrews* Floyd 3/11/1855 – 10/17/1934
9. *George Elias Forrester 1840 – 9/1/1926 Veteran
10. *Sarah Elizabeth "Lizzie" *Forrester* Garnett 8/1870 – 11/10/1921
11. *Frank H. Hogan 10/1872 - 6/5/1918
12. *Elizabeth "Betsie" *Lewis* Jenkins 2/15/1849 – 4/18/1916
13. Charlotte Major Johnson 4/1845 – 9/27/1921
14. Joseph Abraham Johnson Jr. 11/26/1913 – 4/26/1948
15. Moses Johnson 2/1844 – 6/15/1923
16. *Edward Lewis 1881 – 7/26/1922
17. *Maggie *Andrews* Lewis 3/14/1850 – 3/5/1943
18. Matilda *Forrester* Lewis 1845 – 2/6/1938
19. Mitchell Lewis 8/15/1884 – 8/3/1918
20. Raymon Lewis 1872 - Unknown
21. *Teresa *Forrester* Miller 3/22/1831 – 3/30/1902
22. Mary *Ambrose* Robinson 12/8/1871 – 5/1/1948
23. *Pizel Robinson 4/8/1867 – 12/12/1928
24. Sarah Stewart 8/1927 – 12/11/1929
25. Susie Stewart 8/1899 – 4/29/1929
26. Lula *Lewis* Stubbs 5/1881 – 1/9/1924
27. Mary D. *Lewis* Suber 1869 – 1/4/1939
28. Samuel Furgson Suber 12/25/1875 – 10/19/1923
29. Clarence Edward Tillinghast 5/15/1893 – 10/12/1918
30. Georgia Ann *Johnson* Twiggs 1876 – 4/14/1925
31. Joseph Twiggs 10/14/1915 – 10/23/1922
32. Peter Walker 12/20/1847 – 5/5/1923 Veteran
33. William Wallace Walker 1880 – 6/ 1927
34. Clifford Wiles 9/11/1876 – 2/3/1898



Agenda Item
HISTORIC PRESERVATION BOARD

Clay County Administration Building
Thursday, April 3 5:30 PM

TO: Historic Preservation Board

DATE: 3/26/2025

FROM: Beth Carson, Director of
Planning and Zoning

SUBJECT:

Historic Preservation Board Members will provide progress updates on the historic marker projects.

- A. Fort 11 - Gerard Casale
- B. Keystone Heights - Deirdre Murphy
- C. Middleburg Museum/Civic Center - Gerard Casale

AGENDA ITEM TYPE:

ATTACHMENTS:

Description	Type	Upload Date	File Name
Middleburg Colored School Marker Text	Backup Material	1/30/2025	Mburg_Colored_School_historic_marker_text_CCHPB_1_23_25.ADA.pdf
Middleburg Colored School Marker References	Backup Material	1/30/2025	Mburg_Colored_School_historic_marker_text_CCHPB_1_23_25_references.ADA.pdf
Middleburg Colored School Marker Research	Backup Material	1/30/2025	Research_Materials.ADA.pdf

Middleburg Colored School

[side 1] The Clay County Board of Public Instruction founded Middleburg Colored School (MCS) in 1897. MCS, the County's tenth Black public school, was one of about thirty established during the century-long Jim Crow era. MCS students met in rented space until 1908 when they moved to a new building at 4003 Everett Avenue. In that area, called "the quarters," owners of local turpentine and lumber operations provided small, wooden shanties to Black workers and their families. The new MCS building followed standards the school board set out in 1880. Windows provided light for the one-room school built of local heart pine. A woodburning stove heated the room. Students pumped water at a nearby service station. Thirty or more students sat two at each desk in neat rows. A single instructor taught first through ninth grades. To overcome unequal funding, MCS teachers often created their own educational materials, and the Bible provided lessons in reading, speaking, and behavior. Over time, some Black families moved from the quarters, buying land in what became known as the Hill Top community. The children walked five miles to MCS and back, carrying lunch in a sack or a pail, but they got an education.

[side 2] Middleburg Colored School (MCS) neared its end of life as a schoolhouse by the early 1950s. Despite the unanimous U.S. Supreme Court decision in *Brown v. Board of Education* in 1954, Florida and other Southern states were slow to change. In 1957, Clay's school board planned a new, three-room cement block schoolhouse on Longmire Road in Hill Top to replace MCS. A.E. Hall Elementary was named for longtime MCS teacher and principal Alice E. Hall. The Middleburg Volunteer Fire Department (MVFD) bought the former MCS property in 1962 but eventually abandoned it. The building sat until 1994 when the MVFD decided to burn it in a firefighter training exercise. Hearing of the plan, former students led by civil rights activist and educator Maude Burroughs Jackson mobilized the county and saved the school. The MVFD donated the building to Hill Top Community Development, Inc. in 1994 to become a historic schoolhouse museum. The Black Heritage Education Center opened in 1995 with exhibits and programs focused on the contributions of Black citizens to Clay County history. MCS was part of a 2003 multiple property submission, "Black Public Schools in Florida," to the National Register of Historic Places.

[Character limit: 2470, 1235 per side] Characters 2407, 1201/1206

Submitted by Maureen Jung, Ph.D., Clay County Historic Preservation Board on behalf of Maude Burroughs Jackson and the historic Hill Top community.

Middleburg Colored School

Marker text is based on two primary records sources: Clay County Board of Public Instruction Meeting Minutes, 1877-1969 (broken series) and Clay County School District Warrant Records, 1890-1940 (broken series), referred to as CCBPIM and CCSDW, respectively. Portions of text are included to specify references. Copies are included in Appendix 1.

1. Founded Middleburg Colored School (MCS) in 1897; 10th Black public school: CCSDW 1897, p. 226, pay record for first teacher M.W. Ross.
2. One of about thirty Jim Crow era Black public schools. See Appendix.
 - 2.1 Complete list of Black public schools identified through this research, in alphabetical order.
 - 2.2 Colored schools: Aberline, Dunbar, Middleburg, Orange Park, West Tocol, CCBPIM, p. 9, 1931.
 - 2.3 Colored schools: Brinson, Penney Farms, Russell, CCBPIM, p. 353, 1938.
 - 2.4 Colored school: Honey Hill, CCBPIM, p. 13, 1877.
 - 2.5 Colored schools: Hibernia and Laurel Grove, p. 15, CCBPIM, 1877.
 - 2.6 Colored school: Magnolia, CCBPIM, p. 69, 1879.
 - 2.7 Colored school: New Hope, p. 25, CCBPIM, 1883.
 - 2.8 Colored schools: Peter's Creek, CCBPIM, p. 165, 1883; and Robinson's, p. 34, 1890.
 - 2.9 Colored schools: Black Creek and McRae, CCSDW, pp. 105 and 107, 1895/96.
 - 2.10 Colored schools: Virginia Farms, Bordenville, and Novilla, CCSDW, p. 203, 1902; p. 94, 1910/11; p. 208, 1913/14.
 - 2.11 Colored schools: Highland and Melrose, p. 300, CCBPIM, 1900.
 - 2.12 Colored school: Leno, p. 39, CCSDW, 1917.
 - 2.13 Colored schools: AE Hall and TC Miller, p. 309, CCBPIM, 1960/61.
 - 2.14 Colored schools: Green Cove Springs, Long Branch, and Waller, p. 73, CCBPIM, 1918.
 - 2.15 Colored school: Pine Grove, p. 28, CCSDW, 1910.
 - 2.16 Colored school: Swimming Pen, Table 1, Trends in Average Daily Membership by School, Clay County, Florida, 1919.
3. MCS new building at 4003 Everett Avenue. Hill Top Heritage Development, Inc., Keeping Our Heritage Alive, "History of the "Little Old School," 2010? p. 2.
4. "the quarters," turpentine and lumber operations, Hill Top Heritage Development, Inc., Keeping Our Heritage Alive, "Community History," 2010? p. 3.

5. New MCS building followed standards the school board set out in 1880. Historic Structure Report: Middleburg Colored School, Dasher Hurst Architects, 2024, pp. 6, 15.
6. Thirty or more students sat two at each desk. Pupil roster from MCS, early 1940s.
7. A single instructor taught first through ninth grades. See above, Note 3, p. 2.
8. Unequal funding, *working*.
9. Some Black families moved to Hill Top community. See above, Note 4, p. 3.
10. The children walked five miles to MCS and back. See above, Note 4, p. 3.
11. (MCS) neared its end of life as a schoolhouse by the early 1950s. See Annual School Budget, Middleburg, (N), still needs toilets, running water, and electricity.
12. In 1957, Clay's school board planned a new, schoolhouse on Longmire Road. Project Priority List, May 1, 1957, Middleburg Elementary (negro).
13. A.E. Hall Elementary named for teacher and principal Alice E. Hall. See above Note 2-13, p. 309, CCBPIM, 1960/61.
14. Middleburg Volunteer Fire Department (MVFD) bought the fMCS property in 1962. CCBPIM, Motion to deed the former MCS property to the Middleburg Civic Association.
15. 1994 MVFD decided to burn it in a firefighter training exercise. See above Note 3, p. 2.
16. Maude Burroughs Jackson mobilized the county and saved the school. See above Note 3, p. 2.
17. MVFD donated the building in 1994 to become a historic schoolhouse museum. See above Note 3, p. 2.
18. The Black Heritage Education Center opened in 1995.
19. "Florida's Historic Black Public Schools," National Register of Historic Places, Multiple Property Registration Form, approved in 2003, included MCS under the name "Black School House." That mistake has been corrected in the Florida Master Site File to show the school's correct name, Middleburg Colored School.

Appendix 1.

Copies of reference documents cited
in the proposed state historic marker text for
Middleburg Colored School
Clay County, Florida

Maureen A. Jung, Ph.D.
mjung@wordspringconsulting.com
Clay County Historic Preservation Board
January 24, 2025

10

W. Ross
Middleburg

TEACHER, SALARY PER MONTH, \$ 25.00

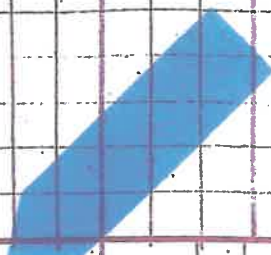
J. L. Harrington

SUPERVISOR

P 2

1.

NO. OF REPORT	DATE OF REPORT	ENROLLMENT			DAILY ATTENDANCE			ORPHANAGE			TIME		VISITORS			REMARKS
		No. of Males	No. of Females	Total	No. of Males	No. of Females	Average	No. Father	No. Mother	Without P. or M.	No. of D. during M.	No. of Days since T.	No. of V. Supt.	Visitors	Superintendent	
1	Dec 24 th 1897	13	9	22	12	6	18								2020	
2	Jan 25 th 1898	13	9	22	12	6	18								2040	
3	Mar 1 st 1898	14	7	21	12	5	17								2060	
#	April 30 th 1898	16	11	27	11	6	17								2080	
				27			18									
<i>J. Blake</i>																
1	Aug 26 th 1898	13	12	25	11	11	22								2020	
2	Sept 15 th 1898	15	12	27	14	12	17								1434	



M.	YEAR	SCHOOL NO.	Dr.	\$	Cts.	DATE OF WARRANT	SCHOOL NO.	CR.	NO. OF WARRANT
7	1899	10				Jan 4/98 W. for M. W. Ross	10		1921
						Feb 1/98 W. for M. W. Ross			2973
						Apr 1/98 W. for W. W. Ross			3038
						May 3/98 W. for W. W. Ross			3060

2.1

Clay County "Colored" Public Schools*

1. Aberline Colored School
2. A.E. Hall School
3. Black Creek Colored
4. Bordenville Colored
5. Brinson Colored
6. Clay Hill Colored 1937? sbm
7. Paul Laurence Dunbar High School
8. Green Cove Springs Colored School
9. Hibernia Colored School
10. Highland Colored
11. Honey Hill Colored School
12. Laurel Grove
13. Leno Colored
14. Long Branch Colored
15. Magnolia Colored
16. McRae Colored
17. Melrose Colored
18. Middleburg Colored School
19. (TC) Miller Elementary
20. New Hope Colored
21. Novilla Colored
22. Orange Park Negro Elementary
23. Penney Farms Colored School
24. Peter's Creek Colored School
25. Pier Station Colored
26. Pine Grove Colored
27. Robinson's School
28. Russell Colored School (c37/38)
29. Swimming Pen Colored School
30. Virginia Farm Colored
31. Waller Colored
32. West Tocol Colored

*School names retrieved from minutes of the Clay County, Florida (CC) school board 1877-1968, CC school district warrant registers, school maintenance reports, newspaper articles, and oral history sources.

2.2

On motion of Mr. Beiger Miss Ruby Cain and Miss Clara Anderson were assigned to teach in the Doctors Inlet School for the next term succeeding Miss LaBorda and Mrs. Huntley. Salaries were fixed as follows; Miss Cain seventy-five dollars (\$75.00) per month and Miss Anderson eighty dollars (\$80.00) per month.

On motion of Mr. Smith Miss Edna F. Byrons was assigned to teach in the primary grades of the Penny Farms School for the next term.

On motion of Mr. Geiger Mrs. H.H. Katochen was assigned to teach in the Clay High School for the term of 1931-32 at a salary of one hundred thirty-five dollars (\$135.00) per month.

On motion of Mr. Geiger the printing contract with the Clay County Crescent was renewed for another year.

On motion of Mr. Geiger the following colored teachers were assigned to the colored schools of Clay County;

- Dunbar #1
 - R.C. Bannerman
 - Ruth Lawrence
 - Rosa Aarons
 - Emma Bailey
 - Carry Hartwell

- Orange Park
 - A.T. Pittman
- ✓ Barberline
 - E.W. Aarons

- Hibernia
 - M.T. Taylor

- ✓ Middleburg
 - Angeline Foster
- West To Col
 - James Foster

On motion of Mr. Smith approved bills were ordered paid so far as funds were available.

On motion of Mr. Smith the Board adjourned to meet again on the First Monday in September unless sooner convened by the Superintendent.

Approved and adopted September 7th, 1931.

Attest: Thos. J. Knight
Sec'y and Co. Supt.

E. A. Kennedy
E.A. Kennedy, Chairman

2.3

MEETING OF THE BOARD OF PUBLIC INSTRUCTION

Green Cove Springs, Florida
June 29, 1938

The Board of Public Instruction met in special session on above date with all members present. Purpose of meetings To transact certain W. P. A. business; to receive the budget prepared by the Superintendent and to transact all business needing attention.

Mr. Shampins and Mr. Cannon appeared before the Board and discussed materials for the W. P. A. Auditorium of Green Cove Springs school.

The Board confirmed the order given June 6th to purchase two all-steel bus bodies, and two steel sections for busses now in operation. The Board confirmed the purchase of the Charlie Saunders bus as discussed on June 6th.

The Board ordered the Superintendent to hold examination for all bus drivers and candidates for bus driving.

The Board instructed Mr. Shampins to have Mr. Kenney stake out the site for the school auditorium (Green Cove Springs).

Motion by Mr. Reid, seconded by Mr. Cherry that the Board employ an attendance supervisor under the supervision of the County Superintendent. (Unanimously voted, "yes.")

Motion by Mr. Reid, seconded by Mr. Wagner that Mrs. Clara Chesser be employed as office secretary for the fiscal year 1938-39, and Mrs. Elizabeth Miller as substitute. (Unanimously voted, "yes").

The Board received the budget prepared by the Superintendent.

Motion by Mr. Wagner, seconded by Mr. Cherry that W. H. Hatcher be paid \$20.00 to take the Four-H Club girls to Camp McQuarrie.

Motion by Mr. Cherry, seconded by Mr. Reid that the following colored teachers be assigned to the following schools:

(6)

- Theresa Redmond.....Brinson
- Alfreda Miller.....West Tocol
- James Foster.....Aberline
- Chequita Rosa Furgerson.....Russell
- Carolyn Bailey.....Hibernia
- Martha Small.....Penney Farms

Motion by Mr. Cherry, seconded by Mr. Wagner that all approved bills be paid.

On motion of Mr. Cherry, seconded by Mr. Wagner the Board adjourned to meet in regular session the first Monday in July.

A. E. Maxwell
Superintendent

L. N. Wagner
Chairman

Approved by Board
July 4-1938

Attested Correct:
A. E. Maxwell
Supt. & Secy. to Board

L. N. Wagner
Chairman

2.4

On The 26th of June 1877, the Superintendent of Schools, proceeded to make timely inspection of the county, to ascertain the localities in which schools should be established, or discontinued, the number of youth who would attend each school, and who are, or who should be appointed to act as trustees, &c. &c.

The following is his report

School No. 1		School No. 3	
Situating at Whitesville		at Tiney Grove	
Trustees - M. A. Knight and E. Blitch		Trustees - Aaron Geiger and E. W. Geiger	
Patrons	Pupils	Names of Patrons	numbers of Pupils
O. Budington	2	Aaron Geiger	7
E. Blitch	1	E. W. Geiger	6
Mrs. Whitmore	1	William Minton	4
H. D. Wall	3	Louis Wilson	5
M. A. Knight	4	Jesse Wilson	2
G. W. Fadder	2	L. D. Wall	4
Mr. McCormick	3	Mrs. Green	3
Henry Ayres	3	Mrs. Johnson	4
John Killberry	3	Ashley Wynn	3
M. A. Taratus	1	Nancy Thomas	1
A. J. Chalkeo	3		
Rebecca Hoas	2		
B. Arisbee	2		
Levi Whitmore	1		
B. M. Merae	2		
Antonia Galana	1		
Aaron Register	4		
George Long	1		
	Total 39		Total 39

School No. 5
Honey Hill
This is a "colored" school
situated between Middleburg
and Hulls Mill.
Trustee Joseph Robinson

The regular School House should be used, instead of the old Court House, as it is situated nearer the center of the community, is a good house and belongs to the community.

Patrons	Scholars
Joseph Robinson	4
Isaac Hogans	4
	Total 8

2.5

School No. 7
 Situated at
Hibernia
 on Flammings Island
 Trustees - Mr. Bowman
 and Henry Thompson

School No. 21
 at
Laurel Grove
 Trustees - E. D. Souther
 and James Keen

Names of Patrons	Number of Pupils
Henry Thompson	3
Jacob Bryant	2
Eliza Russ	2
Blackwell McCoy	1
Travis Frasier	1
Owen Frasier	3
L. Phillips	1
Catherine Farent	2
Mr. Bowman	2
James Lussey	1
Philip Grey	2
Total	20

Patrons	Pupils
James Keen	4
Mr. Burgers	2
James West	3
Loyed Hall	4
Total	13

This a "Colored School"
 Have no School House;
 but speaks of building
 one soon.

School No. 16
Green's Creek
 Trustees - None

Names of Patrons	Number of Pupils
Benj. Mevdy	6
Robert Batton	3
John Batton	3
Robert Hogarth	2
James Manning	1
Louis Myers	1
Mrs. Riggs	2
John Manning	5
Mr. Gillis	4
Total	27

School No. 12
North Prong Black Creek
 This school will not
 be continued; as
 there are but six
 scholars on that
 side of the creek,
 and they prefer
 uniting with the
 Whitesville School.

James Buzen has 4 children
 that ought to attend
 this school; but says he
 will not send them; as
 he prefers having them
 taught at home.

1879 School No. 4,

Magnolia

2.6

Trustees

Lewis Horrester
Robert Harris
Andrew Wiles Jr

Names of Patrons

Names of Children

Gale Waters
" "
Peter Walker
" "
" "
Lucinda Williams
" "
" "
L. Mitchell
Andrew Wiles
Robert Harris
John Barkas
" "
" "
" "
" "
S. Clark
" "
" "
Lewis Horrester
" "
" "
" "
" "
Peter Goss
" "
Hannah Williams
" "
" "
Joseph Jenkins
" "
" "
Pavel Jenkins

Lewis 1
Wilson 2
Abraham 3
Charlie 4
Peter 5
Julia 6
Solomon 7
Virginia 8
Franklin 9
Julia 10
Martin 11
Willie 12
John 13
William 14
Henry 15
Banna 16
Eva 17
Henry 18
Martha 19
Anna 20
David 21
Susan 22
Anna 23
Sarah Elizabeth 24
Sophie Valentine 25
Andrew 26
Margaret 27
Charles 28
Harriet 29
Josephine 30
Mary Jane 31
Josephine 32
James 33
Frank 34
Alice 35

2.7

Sal
Boy
Girl
Tot

✓ 33

Peters Creek \$120
Trustees Dennis Martin
Moses Jones

✓ 34

Wall Kill 150 27
Trustees, Ralph Canova

✓ 35

Rivers Mill 180 18 15 33
Trustees J. P. Rivers
B. F. Huslock
J. A. Brown

✓ 36

McRae 150 22
Trustees L. Hall
W. R. Glisson

✓ 37

Sharon 180 36
Trustees J. M. Tolar
Arthur Barney
~~W. H. Betts~~
J. Poser

✓ 38

New Hope 120 ~~5~~ * = ~~5~~
Trustees Isaac Johns W. F. Wilson
~~Wm. Sapp~~ Sam Bone
~~Do. Johnson~~ Charles Smith

✓ 39

Hickory Grove 180 19-12=31
Trustees W. H. Brooke
P. G. Skinner
Brace

54
2.8
1890.

Robinson's School No. 30. (Closed)

				\$	¢
Sept	14	To Warrant to Teacher for Dec for 1st month Evelina Williams	1	515	2000
Dec	1	To warrant to teacher Evelina Williams for services as teacher for 2nd month	1	9	2000
Dec	1	To warrant to teacher Evelina Williams for services as teacher for 3rd month	1	10	2000
1891.	Jan	To warrant to E Williams for services as teacher for 4th month	13	144	2000
May	4	To warrant to Evelina Williams for services as teacher for 5th month	22	236	2000
Total amt paid to the above for Dec					\$1.00

1893 School No. 33 - Peter's Creek (Closed)

165

Moses Jones -

No. scholars, 11.

#2 McRae Col

Th. W. Smith

SUPERVISOR

P105

2.9

NO. OF REPORT	DATE OF REPORT	ENROLLMENT			DAILY ATTENDANCE			ORPHANAHO			TIME		VISITORS		REMARKS
		No. of Males	No. of Females	Total	No. of Males	No. of Females	Average	No. Father	No. Mother	Without P. or M.	No. of D. during M.	No. of Days since 1.	No. of V. Supl.	Visitors	
1	Feb 4 th 1896	13	7	20	8	6	14				2.0	2.0	4		
2	March 19 th 1896	18	7	25	7	5	13				2.0	4.0			

D.	M.	YEAR	SCHOOL NO.	DR.	\$	Cts.	DATE OF WARRANT	SCHOOL NO.	CR.	No. OF WARRANT	\$	Cts.
1	7	1895	To Appropriation		125	00	March 4/96	5 Col Cr		2048	25	00
							April 6/96			2068	5	00
					125	00	Balance				100	00
1	7	1896										

School No. 7, situated at Knock Wood, Term Commencing July 1st, 189... **107**

Augustus Dixon TEACHER, SALARY PER MONTH, \$20.00
Oliver Phillips SUPERVISOR

#7 Col

NO. OF REPORT	DATE OF REPORT	ENROLLMENT			DAILY ATTENDANCE			ORPHANAHO			TIME		VISITORS		REMARKS
		No. of Males	No. of Females	Total	No. of Males	No. of Females	Average	No. Father	No. Mother	Without P. or M.	No. of D. during M.	No. of Days since 1.	No. of V. Supl.	Visitors	
1	May 8 th 1896	6	5	11	5	5	10				2.0	2.0			
2	June 5 th 1896	6	5	11	5	6	10				2.0	4.0			

D.	M.	YEAR	SCHOOL NO.	DR.	\$	Cts.	DATE OF WARRANT	SCHOOL NO.	CR.	No. OF WARRANT	\$	Cts.
1	7	1895	To Appropriation		100	00	June 1/96	7 Col Cr		2118	25	00
							July 6/96			2148	15	00
					100	00	By Balance				500	00
					100	00					100	00
1	7	1896	To Balance		50	00						

2.10

School No. 11 Virginia Farm term commencing July 1st, 1902
A. P. Wilson Teacher's Salary per month \$20.00
J. Blackett Supervisor. 1902

NO. OF REPORT	DATE OF REPORT	ENROLLMENT			DAILY ATTENDANCE			ORPHANAGE			TIME		VISITORS			REMARKS
		No. of Males	No. of Females	TOTAL	No. of Males	No. of Females	AVERAGE	No. Father	No. Mother	Widows F. & M.	No. days absent from	No. days late from	No. visits by supervisor	Other Visitors	Super- Intendence	
1	Sept. 26, 1902	12	10	22	11	10	21				20	20	2	6		
2	Oct. 24 "	12	10	22	10	8	18				20	40	1			
3	Nov. 21 "	12	10	22	5	5	16				20	60	1	1		
4	Dec. 19 "	12	10	22	8	6	14				20	80				

DATE			SCHOOL No.	DR.	Dolls.	Cts.	Date Warrant			SCHOOL No.	CR.	No. Warrant	Dolls.	Cts.
Day	Mo.	Year					Day	Mo.	Year					
			<u>7 col</u>											
			To Appropriation.		500.00		6	10	1902	A. P. Wilson		4581	20	00
							3	11	"	"		4633	20	00
							1	12	"	"		4681	20	00
							20	"	"	"		4708	20	00

94 1000000000
FINANCIAL
 School No. 5 at Bordensville Principal Annie Willie

DATE	Warrant No.	NAME	ARTICLE	LOT	New Building	Repairs of Building	Furniture and Apparatus
1910-11							
Nov 9 1847		Annie W. Willie	teacher				
Dec 5 1870		Annie Willie	"				
Jan 2 1924		Annie Willie	"				

RECORD

Salary \$ 20.00 Opened Oct. 3/00 Closed Dec 27/00

Janitor	Fuel	Transportation of Pupils	Free Books	Kindergarten	Other Incidentals	Teachers Salary	Aggregate Salary of Teachers	Total Cost of School	Remarks
						2500			
						2500			
						2500			
							7500		
							2500		

1913-14 col
 # 4 Tronville
 N2 2707 Ruby J. Logan Teacher
 D7 2447 Ruby J. Logan "
 F1 2822 Ruby J. Logan "
 Mch 2857 Ruby J. Logan "

						3000			
						3000			
						3000			
						2000			

2.11

For school	2026	Rivers Mill	27 00
	27	Douling bridge	22 50
	28	Pine Lake	22 50
	29	Hibernia	22 50
	30	West Yaco	27 00
	31	Beldene	22 50
	32	Yellow Water	22 50
	33	Lake Anna	22 50
	34	Pine Grove	22 50
	35	Black Porcupine	27 00
	36	Green Creek	22 50
	37	Hidderick	27 00
	38	Brownsville	27 00
	39	Rose Hill	22 50
	40	Hickmanford	15 00
	41	Bush Pond	22 50
	42	Buck branch	22 50
	43	East Sharon	27 00
	44	Three Mile branch	27 00
<hr/>			
	1	Green Cow Springs (Cal)	12 50
	2	Hibernia	27 00
	3	Orange Park	22 50
	4	Peters Creek	22 50
	5	Aberline	27 00
	6	Highland (Cal)	27 00
	7	Melrose	25 00
	8	Midway	22 50



Total for Month

A Levy of 5 Mills on the taxable property of the County will be necessary to give this amount imperatively needed, and we hereby request you to Levy the same

By order of the County Board of Public Instruction
 W. Hancock
 Chairman of the County Board

Board of Public Instruction
 W. W. Head
 Secy. & Sup't Pub. Instruction

The Board then went into executive session and appointed the grading committee for the year examination 1900

39 General Fund

FINANCIAL

2.12

(col)

School No. 12

at

Leno

Principal

Mrs. C. A. Hartwell

Oct
S
Nov
Dec
Jan
Feb
Mar

DATE	Warrant No.	NAME	ARTICLE	LOT	New Building	Repairs of Building	Apparatus	Furniture
Oct 17		One brown	457					
"		One brown	45					
"		Erasers	368					
Nov 5	3506	C. A. Hartwell	Teaching					
Dec 9	3555	"	"					
"	22	3584	"					
Feb 4	3612	"	"					
Mar 4	3649	"	"					

399

RECORD

Teacher		Salary \$		Opened		Closed				
Cent	Janitor	Fuel	Transportation of Pupils	Free Books	Kindergarten	Incidentals	Teachers Salary	Aggregate Salary of Teachers	Total Cost of School	Remarks
						45				
						36				
							25.00			
							25.00			
							25.00			
							45.00			
							25.00			
							81.25			

2.13

1969/6

Construction Co., Inc Jacksonville, Florida	112,112.00	1,000.00
Construction Co Green Heights, Fla	109,974.00	900.00
Wolfe, Jr., Inc Jacksonville, Fla	112,515.00	875.00
Woodcock Co., Inc Jacksonville, Fla	110,989.00	821.00
Enterprises, Inc Jacksonville, Fla	115,903.00	770.00
Wm E. Cellar Co Jacksonville, Fla	99,919.00	850.00

On by Mr. Cherry, seconded by Mrs. Knowles, that the Board award contract to William E. Cellar Company, as bidder in the amount of \$99,919.00.

Voting Aye: All
Voting Nay: None

Materials were received, duly inspected and tabulated as follows for 78 M.B. No. 35 Modular Aluminum windows, glazed, complete with clear glass and hardware; 39 No. 35 Vertical mulls for above; 14 No. 24 commodity aluminum windows glazed, complete with clear glass and hardware; and seven No. 24, vertical mulls for above; must be Ware weight 093, Miami Awning weight 093, or Crosby weight 080 to 090, FOB Green Cove Springs, Fla; all for Dunbar High School, Project No. 15-60.

Bidder	Amount
Windows, Inc Jacksonville, Fla	3,735.74
Eichel Steel & Supply Jacksonville, Fla	3,450.09
Materials Distributors Jacksonville, Fla	4,407.20

Resolution by Mr. Burkhalter, seconded by Mr. Cherry, that the board purchase the above materials from Eichel Steel and Supply Company, low bidder in the amount of \$3450.09.

Voting Aye: All
Voting Nay: None

Resolution by Mr. Cherry, seconded by Mrs. Knowles, that the teachers and bus drivers who are paid for loss of time by Workmen's Compensation and are also paid by the Clay County Board of Public Instruction for authorized sick leave, report to the Board the amount of money received from Workmen's Compensation for such loss of time. If the teacher or bus driver has no sick leave accumulated, such person shall not pay to the Board money received from Workmen's Compensation.

Voting Aye: All
Voting Nay: None

Resolution by Mr. Burkhalter, seconded by Mrs. Knowles, that the board appoint the following principals for the 1961-62 school term as nominated by the school trustees and recommended by the school superintendent in accordance with Florida School Laws, Sec. 230.31 (7e):

Principal	School
James A. Parker	Clay County High
Louise Batten	Charles E. Bennett Elementary
Thomas E. Smith	Green Cove Springs Elementary
W. D. Duck	Paul E Reinhold Jr High
Albert H. Rumph	Orange Park High School
John H Boulware	Orange Park Elementary
Joseph P Martin	Doctors Inlet
Clasper Smith	Middleburg
Elmo T. Riggs	Penney Farms**
Ray Roddy	Clay Hill
Garlin H. Brown	Dunbar High
Eugenia Argrett	R. C. Benrerman Elementary
Theresa M. Caldwell	T. C. Miller Elementary (Orange Park)
Alice H. Hunter	A. E. Hall Elementary (Middleburg)

Voting Aye: All
Voting Nay: None

Resolution by Mr. Cherry, seconded by Mrs. Knowles that the board place \$21,138.00 from the Capital Outlay and Debt Service Fund on Time Deposit with the Keystone State Bank for 90 days at 2% interest when funds are available.

Voting Aye: All
Voting Nay: None

Resolution by Mr. Burkhalter, seconded by Mr. Cherry, that the Board pay Mr. A. E. Cellar, architect, \$4,796.11 for services rendered in drawing plans and specifications for the new Orange Park Elementary School, Project No. 2-60.

Voting Aye: All
Voting Nay: None

1918

2.14

- # 36 Pine Grove Bertie G Crosby.
- " 37. 'Crompton Farm' Lillian Watkins

Colored Schools

- # 1. ✓ Green Cove Springs ^{From B. J. Hartwell} ^{Mrs. M. J. Lewis}
" C. F. Welles Rosa B. Gersons.
- " 2. ✓ Hibernia J. L. Frasier
- " 3. ✓ Jubeline Eliza Burke
- " 4. ✓ Long Branch
- " 5. ✓ Waller Addie Matthews
- " 6. ✓ Middleburg. O. G. Hartwell
- " 7. ✓ Orange Park. Dora Parco
- " 8. ✓ West Loco

Board took recess till Tuesday July 2, 1918.

July 2, 1918

Board was duly called to order at 9:30 A.M.

By motion Saunders carried, the following resolution was offered and adopted.

Whereas the Bank of Green Cove Springs, Clay County Depository January 1917, erroneously gave a Bond under Chapter 6967 Laws of Fla. for the use of Board of Public Instruction of Clay County Fla. and whereas the said Bank of Green Cove Springs was not at that time nor have had been a Depository under said chapter 6967 Laws of Florida

Therefore Be it resolved by the Board of Public Instruction of Clay County Fla. that said Bond be and the same is hereby cancelled.

By motion Harris carried, Board proceeded to revise annual Budget and to make desirable changes in the assignment of teachers and regulate salaries.

By motion Saunders carried, Bills were ordered read and all approved Bill were paid.

as follows:

Warrant No.	two days	
A 1. J. B. Rivers	service to Board.	8.00
A 2.	Mc Saunders two days service to Board	12.80
A 3.	L. C. Harris two days service to Board	14.80

2.16 Data
1947-57

1959
ypt

TABLE I
TRENDS IN AVERAGE DAILY MEMBERSHIP BY SCHOOLS
CLAY COUNTY, FLORIDA

SCHOOL CENTER	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	Latest Month	Analysis for 1955			
	-48	-49	-50	-51	-52	-53	-54	-55	-56	-57	Month	First Month	High Month	Last Month	
WHITE SCHOOLS															
<u>Grades 1-6</u>	Not in operation								365	474	741	476	487	458	
Bennett	66	71	67	62	61	59	52	52	45	49	44	47	44		
Clay Hill	82	83	86	82	94	87	95	109	116	125	111	122	114		
Drs Inlet	472	529	548	595	638	688	847	580	464	282	452	474	472		
G.C.Spgs	54	57	52	65	69	85	102	117	121	128	125	130	116		
K. Hghts	82	100	117	137	149	158	163	186	190	168	198	198	184		
Middleburg	75	94	105	113	138	157	188	194	210	256	209	214	208		
O. Park	74	54	51	57	56	48	53	42	46	41	52	52	42		
P. Farms	905	988	1026	1111	1205	1282	1500	1645	1666	1790	1667	1724	1638		
Total															
<u>Grades 7-9</u>	155	180	193	200	206	210	258	334	350	405	353	355	339		
Clay High	6	7	9	12	8	7	12	14	10	11	11	11	10		
Clay Hill	14	19	27	33	28	33	22	Consolidated							
Drs Inlet	7	12	20	23	15	15	20	29	28	29	27	32	27		
K.Hghts	38	37	37	38	31	35	41	50	55	65	59	59	52		
Middleburg	25	22	27	20	23	23	18	16	35	47	33	37	36		
O. Park	11	12	15	14	8	11	9	Consolidated							
P. Farms	256	289	328	340	316	334	380	443	478	557	483	494	464		
Total															
<u>Grades 10-12</u>	125	120	141	153	168	206	216	225	237	250	240	242	220		
Clay High															
NEGRO SCHOOLS															
<u>Grades 1-6</u>	8 Consolidated								237	238	247	263	285	294	
Brinson	166	158	186	220	237	238	247	263	285	294	292	292	281		
Dunbar	28	31	33	33	40	37	63	63	53	58	51	56	55		
Middleburg	30	27	29	30	30	30	32	38	47	55	46	47	46.		
O. Park	32	30.	Consolidated												
* P. Farms	Consolidated														
Swimming Pen	264	248	278	283	307	305	342	364	385	407	389	395	382		
Total															
<u>Grades 7-9</u>	3 Consolidated								121	115	123	118	119	114	
Brinson	59	58	51	64	73	93	106	121	115	123	118	119	114		
Dunbar	4	4	7	1	Consolidated						1	1	0		
Middleburg	7	8	7	1	Consolidated						0	0	0		
O.Park	Consolidated														
Swimming Pen	73	70	65	66	73	93	106	121	115	123	119	120	114		
Total															
<u>Grades 10-12</u>	16	15	20	35	36	35	35	46	54	68	55	57	53		
Dunbar	1286	1397	1495	1604	1689	1822	2096	2313	2381	2597	2390	2460	2322		
TOTAL WHITE	353	333	363	384	416	433	483	531	554	598	563	572	549		
TOTAL NEGRO	1639	1730	1858	1988	2105	2255	2579	2844	2935	3195	2953	3032	2871		
GRAND TOTAL															

3.

HISTORY OF THE "LITTLE OLD SCHOOL" -BLACK HERITAGE EDUCATION CENTER

THE BLACK HERITAGE EDUCATION CENTER HAS ITS ROOTS
IN A ONE-ROOM SCHOOL HOUSE KNOWN AS THE "COLORED
SCHOOL AND HISTORIC SCHOOL HOUSE."

Originally, this historic school house was located on the corner of 4003 Everett Avenue and County Road 220. However, to save it from demolition, the school house was moved in 1995 to Hunter Douglas Park on Longmire Avenue. The Middleburg Volunteer Fire Department donated this historic school to Clay County to be used, not only by the Hill Top Community Development Inc. as a Historic School House Museum, but also to be used in honor and in memory of one its members, Melvin Presha, a notable business owner in the 1950s.

This historic school house was built in 1903 and was the first place in the town of Middleburg where African Americans could receive a formal education. Many residents of the Hill Top Community and the Foreman Circle area began their schooling in this building. During the days of segregation, this building carried grades one through nine and was the only school for blacks in Middleburg. As a result of this initial education, some of Middleburg's residents continued this important quest for knowledge and became college graduates, nurses, teachers, ministers, professors, and great community leaders.

P.2

4.

The Foreman School was built for black students. When the Foreman School was built, the Foreman family and others had to flee for their lives. The Foreman family lost half of his land from not paying taxes. The Foreman School was the center of the community.

1940s - Foreman returned to Clay County and sold land to other blacks in the community. The community began to develop with new families - Burroughs, K. Jackson and the Longmires - moving onto the Hill Top.

COMMUNITY HISTORY

A GLIMPSE INTO THE LIVES OF MIDDLEBURG BLACKS IN THE 19TH AND 20TH CENTURIES.

Many years ago, black families came to Middleburg and settled in a small community called **Across the Creek** or **Howard's Quarters** located to the right of Highway 21. These families came from parts of Georgia, Alabama, and South Carolina during the 1890s and early 1900s. They came on boats and ferries through Green Cove Camps and **Black Creek**. They lived in small houses owned by the owners of the turpentine business. The houses were wooden framed, unpainted structures with wooden windows. Alongside the houses, there were small gardens with greens, okra, peas, corn, beans, tomatoes, and potatoes. Families kept hogs, chickens, ducks and turkeys in their backyards.

While most men worked in the woods chipping turpentine boxes, some men and women scored pine trees in a V-shape and hung tray-type containers under the scores to catch the sap. Later, they collected the containers, emptied them into a large barrel, and placed them on a wagon pulled by mules. Although this was very hard work with little pay, it was the best work that they could find in this area at that time.

Black workers were often taken advantage of. Even after a full week of work, camp owners and commissary keepers withheld the workers' pay claiming it was owed to the store for food and other goods. Goods sold in the stores were very expensive. Owners could charge whatever they wanted because there was no competition.

Workers often labored from sun up to sun down. Nevertheless, many of the men refused to work on Sunday and spent the day in church with their families, even when it was demanded by their employers. The average income for men working turpentine was about 85 cents a day. Rent in the quarters ranged from \$2.50 to \$5.00 a month.

Primary occupations in the black communities of Clay County were timbering, dipping gum, farming, planting and picking cotton. Until the late 1940s, many families also worked at Camp Blanding.

Families began to buy land and to build houses on the **Hill Top**. They moved from the turpentine quarters to the Hill where several men in the community worked in the pulp wood business. In the 1950s, pulpwood trucks were used to haul logs to the mill. Workers took the trees cut from Clay County forests to Jacksonville. Some of the men in the community developed their own businesses and employed other members of their community. Some of these owners included Eddie Burroughs, Melvin Presha, and General Forman, sons of the original families of Hill Top. With an increase in income, some families were able to build homes and to become property owners.

The women worked in the homes of white families, cleaning, cooking, washing, ironing clothes, and taking care of children. Many women toiled in the fields, especially at their own homes. In the 1940s many of the citizens went to work at Camp Blanding as cooks and cleaners in the laundry room. A few of the men worked on the "hog farm" where they raised hogs for the Army.

In the 1890s black and white children attended school separately. Blacks went to school for four months of the year; whites went to school for seven months. By the mid 20th century, the school calendar was extended to nine months for all children.

Then, black children from all nine grades attended the little one room house with only one teacher. Children from the Hill walked five miles a day round trip to school. The school never had indoor plumbing or electric heat, and in the winter, a wood burning stove provided heat. Children brought their own lunches from home. This school house is now the Black Heritage Education Center.



P.3

5.

manage the construction of schools. School board records, including minutes of meetings, document the period from 1877 to 1967, when public schools were de-segregated. During the 1890s, Clay County schools improved with quality control of educational content, more tax revenue for teacher salary and school construction and mandatory attendance.³

Clay County Schools were racially segregated until 1967. In 1896 Clay County supported nine African American schools. In 1910, a report to the state described traditional school construction in Clay County for all races. A resolution of the Clay County School Board in 1880 budgeted \$100 for a standard schoolhouse 20 x 30 feet with eight windows. Heart pine lumber had been the standard building material. The report stated that the quality of lumber resulted in buildings that seldom rotted or burned. By 1910 only qualified carpenters were allowed as contractors. All schools were furnished with single desks⁴ These standard specifications closely match the design of the Middleburg Colored School, constructed in 1908. p. 6

In 1918 there was a white senior high school at Green Cove Springs.

last two years, spent \$3,000.00 exclusive of donations, for new buildings. The new building at Orange Park cost \$2,100.00; is furnished with patent single desks, and all the available space in the completed rooms is covered with Hyploplate blackboards. The lower floor only is complete, but the building is planned along symmetrical and sanitary lines and is an addition to the town. The Orange Park Special Tax District paid and assumed one fourth of the cost of the building. The other new buildings are: Pine Grove, Oypar, Lake Geneva and Highland. The last two, as all recent purchases, are furnished with single desks. The purchase of heart lumber for school house building in Clay County is a thing of the past. (We buy as best we can, and pay at once. We are now building at Belmore, Montezuma and Russell. The Board of Public Instruction spent \$750.00 repairing such buildings as were worth repairing. A resolution of a School Board thirty years ago to pay \$100.00 for any school house 20x30 feet, with eight windows, was responsible for a lot of shucks that seldom rot and never burn. As population shifts, these blots on the landscape are supplanted by well-lighted sanitary buildings. None but carpenters are now allowed to contract new work. A new High School building in Green Cove Springs is now the long-felt want. X



p. 5

SOURCE: BI-ENNIAL REPORT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION OF THE STATE OF FLORIDA FOR THE TWO YEARS ENDING JUNE 30, 1910. WM. M. HOLLOWAY, SUPERINTENDENT, SPECIFICATIONS FOR CLAY COUNTY SCHOOLS, 1908-1910

6.

DATA CONCERNING PUPILS

NAME	UNABLE TO ATTEND	AGE	SEX	DATE OF BIRTH			TRANSPORTATION AT PUBLIC EXPENSE		NO. OF YEARS PREVIOUS TO THIS YEAR	
				YEAR	MONTH	DAY	BETTER	WASHER	IN THIS GRADE	IN ANY GRADE
				1	2	3	4	5	6	7
Barron, Paul James	1	7	M	1927	MAR	21	September			
Leitch, Frank	1	6	M	1925	JUN	5				
Merrill, Eddie Lee	2	7	M	1927	APR	8				
Waters, Gordon Jr	2	7	M	1927	MAR	6				
Black, Gary	1	6	M	1928	APR	7				
Peterson, Dottie Mae	1	5	F	1931	FEB	2				
Wing, Alice Mae	1	6	F	1931						
William, Iris Elyse	1	6	F	1931	AUG	31				
Macl, Harold	2	8	M	1935	FEB	19	September			
Reel, Hase Jr	2	7	M	1932	MAY	10				
Preslie, Leroy	2	7	M	1937	JUNE	16				
Preslie, Roosevelt	2	9	M	1934	DEC	29				
Lewis, CJ	2	7	M	1937						
Broughton, Lillian	2	8	F	1936	AUG	1				
Barron, Marie	2	9	F	1928	NOV	8				
Preslie, Frank	3	9	M	1935	SEPT	30				
Rechia, Earlie	4	12	M	1932	SEPT	30				
Richardson, Henry	4	10	M	1933	OCT	25				
Weeks, J.	4	14	M	1929	FEB	13				
McWhite, Raymond	4	12	M	1932	NOV	3				
Barron, Proxiam	4	9	F	1934	JAN	18				
Kabert, Marnie Del	4	10	F	1934	JULY	9				
Preslie, Lillie Mae	4	11	F	1932	JAN	23				
Broughton, Rose Bell	5	10	F	1934	SEPT	29				
Richardson, Rebecca	5	12	F	1931	NOV	5				
Preslie, Clarence	6	12	M	1930	MAR	1				
Broughton, Irene	6	14	F	1930	SEPT	1				
Barron, Dixie Lee	6	12	F	1933	JUNE	9				
Farnoi, General G.	9	16	M	1927	FEB	7				
Barron, Mary L.	9	14	F	1930	JAN	6				
Farnoi, Marie H.	9	13	F	1932	MAY	11				

PUPIL ROSTER

11.

July 1950

288 G

ANNUAL SCHOOL BUDGET

PART I, BUDGET FOR THE SUPPORT AND MAINTENANCE OF SCHOOLS

Section 7. Analysis of Capital Outlay Projects:
 Include and list according to kind of project below, all capital outlay to be financed from Support and Maintenance Funds.

List projects in the following order: (1) Unfinished Foundation projects from prior years, (2) new foundation projects, and (3) other new projects.

SCHOOL CENTERS	RACE	C. O. CLASS	KIND OF PROJECT	TYPE OF CONSTRUCTION	CLASS ROOMS		ESTIMATED COST THIS YEAR IN DOLLARS
					ELEM.	HIGH	
Foundation Prog. New Orange Park	W	C-2	1 Classroom	Conc.	1		9,000.00
			1 Cafeteria	"		1	7,000.00
			Equipment for Class room & Caf.				2,000.00
Clay Hill	W	C-3	Toilets				
			Well & Water Pump	Conc.	1		3,500.00 1,500.00
Mystone Heights	W	C-3	Alteration of Lights	Elec.			500.00
			Toilets	Conc.			1,000.00
Middleburg	H	C-3	Running Water				600.00
			Alteration of Lights	Elec.			300.00
Fisher (G.C. Spgs)	H	C-1	Shower & Dressing Room, Shop & Gen. Purpose Rm. for Lunch & Assembly		1	1	
			Equipment	Conc.	1		63,800.00 608.00 69,808.00
MADE FROM OTHER SOURCES:							
Green Cove Springs	W	C-1	Site				10,000.00
Green Cove Springs	W		6 Temporary Classrooms	Wood	6		7,000.00
Green Cove Springs	W		Lights & Material for Athletic Field				1,000.00
Middleburg	W		1 Classroom	Conc.	1		9,000.00
			1 Cafeteria	Conc.	1		6,000.00
			Equipment fo Cl. Rm. & Caf.				2,000.00
Equipment for New Buildings							5,792.00
Equipment for Old Buildings							5,000.00
Library Books							2,000.00
New Buses							10,000.00
							57,792.00
							<u>147,600.00</u>

12.

PROJECT PRIORITY LIST

Clay County
May 1, 1957

Signed HARRIS C. LONG
County Superintendent

(1) Order of Priority	(2) Priority Rating	(3) School Center, of Description of Location	(4) Race W or N	(5) C.O. Class	(6) Grades	(7) Description of Project	(8) Estimated Cost
1	A	Orange Park Elementary	W	C-1	1-6	Purchase Site Drill Well	\$ 7,800.00 C.O. & D.S. Funds
2	A	Middleburg Elem. (Negro)	N	C-2	1-6	Purchase new site and drill well	\$ 1,300.00 C.O. & D.S. Funds
3	A	Orange Park Elementary	W	C-1	1-6	6 add. classrooms toilets, lunchroom & central heat	\$ 85,000.00 From Federal Funds
4	A	Orange Park Elem. (negro)	N	C-2	1-6	3 classrooms, toilets office, storage, central heat	\$ 30,000.00 From Federal Funds
5	A	Middleburg Elem. (negro)	N	C-2	1-6	3 classrooms, toilets office, storage, central heat	\$ 30,000.00 From Federal Funds
6	A	Dunbar Green Cove Springs	N	C-1	1-6	Expand newer site to ten acres	\$ 10,000.00
7	A	Dunbar	N	C-1	1-6	9 add. classrooms offices, toilets central heat	\$100,000.00
8	A	Clay County High School Green Cove Springs	W	C-1	7-12	3 add. classrooms toilets	\$ 40,000.00
9	A	New Jr.-Sr. High School "B" Orange Park	W	C-1	7-12	Purchase Site	\$ 20,000.00
10	A	New Elem. School "A" Green Cove Springs	W	C-1	1-6	Purchase Site	\$ 20,000.00
11	A	New Jr.-Sr. High School "B" Orange Park	W	C-1	7-12	10 classrooms, 2 sci. labs, home making suite, Ind. Arts shop, Arts & Crafts room, Comm. room, choral room, Administrative suite, toilets & storage.	\$499,000.00
12	A	New Elem. School "A" Green Cove Springs	W	C-1	1-6	13 classrooms, cafetorium, library administrative suite, toilets & storage	\$275,000.00
13	B	Clay County High School Green Cove Springs	W	C-1	7-12	Homemaking suite, Vocal music room, arts & crafts room, audio-visual room.	\$ 60,000.00
14	C	Dunbar Green Cove Springs	N	C-1	7-12	Enlarge Adm. Suite classrooms, improve lighting, etc.	\$ 9,000.00
15	E	Dunbar Green Cove Springs	N	C-1	7-12	Band room, choral room & Gym	\$184,000.00
16	E	Clay County High School	W	C-1	7-12	Auditorium	\$106,000.00
17	E	New Jr.-Sr High School "B" Orange Park	W	C-1	7-12	Gymnasium	\$100,000.00

*new
add*

Voting Aye: Knowles, Burkhalter, Wilkinson
Voting Nay: None.

Motion by Mr. Knowles, seconded by Mr. Burkhalter, that the Board pay \$7,600.00, draw deed, and furnish stamps for the following described property to be used as expanded site for the Orange Park White School:

A parcel of land situated in Lot 11, Block 7, Section 1, Town of Orange Park, County of Clay, State of Florida and being more particularly described as follows:
Begin at the southwest corner of said Lot 11 and run easterly along the north line of Stiles Avenue 289.42 ft., thence turn at right angles and run northerly 370 ft. to the north line of said Lot 11; thence westerly along the north line of said lot and parrallel to said Stiles Avenue 167.29 ft. to Plainfield Avenue, thence southwesterly 389.63 ft. along the easterly boundary of Plainfield Avenue to the point of beginning.

Voting Aye: Knowles, Burkhalter, Wilkinson.
Voting Nay: None.

Motion by Mr. Burkhalter, seconded by Mr. Knowles, that the Board pay into the Registry of Court \$12,124.00 for

REGULAR MEETING
CLAY COUNTY BOARD OF PUBLIC INSTRUCTION
February 12, 1962

The Clay County Board of Public Instruction met in regular session on the above date in the Board Meeting Room with the following members present, to-wit: C. M. Burkhalter, Sr., Dist No. 1; W. E. Cherry, Dist No. 2; A. E. Anthony, Dist No. 3; Jack Wilkinson, Dist No. 4; and Mrs. Louise Knowles, Dist No. 5.

The meeting was called to order by the Chairman, Mr. Wilkinson, and the minutes of the last regular meeting held January 8th, 1962, were read.

Motion by Mr. Burkhalter, seconded by Mr. Cherry, that the minutes be adopted as read.

Voting Aye: All
Voting Nay: None

Chairman Wilkinson recognized Mr. Arthur Hatcher of the Middleburg Civic Association who presented the board with a letter requesting the board to deed the property of the old Middleburg Negro School, which is now under lease to the Middleburg Volunteer Fire Department, to the Middleburg Civic Association, the parent organization of the Middleburg Volunteer Fire Department.

Mr. Floyd Gmann, President of the Middleburg Volunteer Fire Department, stated that the Fire Department would like to make improvements on the property and construct an additional building for housing the fire equipment, but that he did not feel that the Civic Association or the Fire Department could go ahead with the project without title to the property.

Mr. Wilkinson and Mr. Anthony both expressed their views to the effect that since this was the only fire department in that end of the county, and that in helping the organization to improve and expand, the board would stand to reap some benefits by having better fire protection for the schools in that area.

Motion by Mr. Cherry, seconded by Mr. Anthony, that the board deed to the Middleburg Civic Association the following described property:

Lots number one and two (1 & 2) Block G, in Houghton's division of the Town of Middleburg, being a part of (Lot number one (1) in Section Fourteen (14), Township five (5), South Range Twenty-Four (24) East, U.S. Surveys) The aforesaid lots one and two are bounded as follows on the north by lot three (3) one hundred and ten feet (110). On the West by lots six and seven (6 & 7) one hundred and seventy-five feet (175), on the South by High Street, one hundred and ten feet (110) and on the East by Everet Street, one hundred and Seventy-five feet (175). For the colored school.
As recorded at page 307 of Record Book 84, Public Records of Clay County, Florida.

with the provision that the legality of the matter is cleared with the State Department of Education and that the deed contain a reverter clause wherein the property will revert to the Clay County Board of Public Instruction should the Middleburg Civic Association become inoperative and cease to exist as an organization.

Voting Aye: All
Voting Nay: None

Motion by Mr. Cherry, seconded by Mrs. Knowles, that all bills be approved and ordered paid.

Voting Aye: All
Voting Nay: None

Superintendent Long pointed out that the county had received an approved project under NDEA Title III for the purchase of Science, Math, and Foreign Language equipment, that the county would be reimbursed by the State Department of Education for 50% of the amount spent and he recommended that the board adopt a budget in Resolution No. 5 to appropriate money for this purpose as well as an increase in the budgeted funds for teaching supplies and other equipment which is needed.

Motion by Mr. Cherry, seconded by Mr. Burkhalter, that the board adopt budget Resolution No. 5, for the year 1961-62 as follows:

		<u>Present Budget</u>	<u>Increase</u>	<u>Revised Budget</u>	
		1,733,241.00	0.00	1,733,241.00	
Acct No.	Item	Present Budget	Increase Requested	Decrease Requested	Revised Budget
2250	Teaching Supplies	10,000.00	1,000.00		11,000.00
2840	Original or Added Equip.	35,000.00	11,000.00		46,000.00
3240	Reserve for Conting.	47,064.00		12,000.00	35,064.00
		1,733,241.00	12,000.00	12,000.00	1,733,241.00

Voting Aye: All
Voting Nay: None

Motion by Mr. Anthony, seconded by Mrs. Knowles, that the board receive the internal accounts audit reports for Dunbar High, Penney Farms Elementary, Green Cove Springs Elementary, Paul E. Reinhold Jr., High and Clay County High Schools, and Orange Park Elementary.

Voting Aye: All
Voting Nay: None

Mr. Anthony, requested information as to whether or not the Board of Public Instruction could be held responsible for any debts that a principal might incur in the name of the school. The responsibility of the Board of Public Instruction as set forth in Section 187, State Board Regulations, was read but did not clarify the point in question.

Motion by Mr. Cherry, seconded by Mr. Anthony, that the question be referred to the State Department of Education for an opinion on the matter.

Voting Aye: All
Voting Nay: None

THE MISSION OF HILL TOP HERITAGE INC

As a small African American Community in Middleburg, Florida, we are a pioneering spirit, trying to achieve independence through education, economic and social development. This community hopes to provide a brighter future in establishing strong survival skills.

Through education and socioeconomic development, we provide year-round enrichment programs which focus on the whole person, the whole family, and the whole community at all stages of life.

In the near future, the Hilltop Heritage Development Inc. hopes to provide additional activities as part of its growth and development within the Middleburg area. Some of these activities will include After School Boys and Girls Club of Middleburg, Community Prevention Program, Heritage Foundation Academy, Work Source of Middleburg, Athletic Program, Literacy Foundation and Character Education Program, Vocational Training, and Adult Education Programs.

GOALS OF THE EDUCATIONAL CENTER

- Infant Daycare Spring 2011
- Establishing an academic environment emphasizing career & vocational training
- Before and After School Care
- After School Tutoring
- Pioneers Day
- Martin Luther King Luncheon
- Summer Camp
- Heritage Festival
- Concerts on the Hill
- Back to School Jam



*Black Heritage Education Center
1995 Hill Top Residents*

CARING AND SHARING ALL YEAR!

Hill Top Heritage Development Inc. engages in projects that restore hope, promote education, and foster self-reliance, self-respect and self-love while rebuilding and further developing the community.

Hill Top Heritage Development Inc. has served Middleburg and Clay County since 1995.



**HILL TOP HERITAGE
DEVELOPMENT, INC.**

2774 Boroughs Rd. Middleburg, Florida 32068

Email: hilltopheritage1@live.com | Phone: (904) 282-4168

This publication has been financed in part with historic preservation grant assistance provided by the Bureau of Historic Preservation, Division of Historical Resources, Florida Department of State, assisted by the Florida Historical Commission. Researchers – F.A. Wider-Lewis and M.B. Jackson.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section F

Page 15

Florida's Historic Black Public Schools

Association: Association is the direct link between an important historic event or person and a historic property. While many historic events associated with the development of a school may have occurred at a local residence, a school board building, or even a state government office building, the most tangible manifestations of these activities may be other properties, such as schools themselves. However, because many African American schools were converted for other uses during the Era of Integration and since that time, a continuing educational use is not necessary for a historic black school to be eligible under this cover.

Black public schools previously inventoried in the FMSF or listed in the NRHP

Alachua County
Institute of Black Culture

Broward County
Old Dillard School (NRHP, 1991)

Clay County
Black School House
Orange Park Negro Elementary/Teresa Miller School (NRHP, 1998)

Duval County
Old East Jacksonville School No. 3
Edwin M. Stanton School (NRHP, 1983)

Flagler County
Old Flagler County School

Hillsborough County
Citrus Park Colored School
Glover School (NRHP 2001)

Jackson County
Union Grove School House

Lee County
Paul Dunbar High School (NRHP, 1992))
Williams Academy

Leon County
E. B. Hall Jones School

19.

Original
 Update



HISTORICAL STRUCTURE FORM

FLORIDA MASTER SITE FILE

Version 5.0 3/19

Site#8 CL00100
Field Date 2-13-2024
Form Date 4-10-2024
Recorder # _____

Shaded Fields represent the minimum acceptable level of documentation.
Consult the *Guide to Historical Structure Forms* for detailed instructions.

Site Name(s) (address if none) MIDDLEBURG COLORED SCHOOL : AKABLACKSCHOOL Multiple Listing (DHR only) _____
Survey Project Name MIDDLEBURG COLORED SCHOOL HISTORIC STRUCTURE REP Survey # (DHR only) _____
National Register Category (please check one) building structure district site object
Ownership: private-profit private-nonprofit private-individual private-nonspecific city county state federal Native American foreign unknown

LOCATION & MAPPING

Street Number 4393 Direction Street Name Longmire Street Type Road Suffix Direction _____
Address: _____
Cross Streets (nearest / between) _____
USGS 7.5 Map Name MIDDLEBURG USGS Date 1978 Plat or Other Map Property Appraiser map
City / Town (within 3 miles) Middleburg In City Limits? yes no unknown County Clay
Township 5S Range 24E Section 22 1/4 section: NW SW SE NE Irregular-name: PT N1/2 OF NW1/4
Tax Parcel # 22-05-24-006521-000-00 Landgrant N/A
Subdivision Name N/A Block 0 Lot 16
UTM Coordinates: Zone 16 17 Easting [] [] [] [] [] [] Northing [] [] [] [] [] []
Other Coordinates: X: _____ Y: _____ Coordinate System & Datum _____
Name of Public Tract (e.g., park) HUNTER-DOUGLAS PARK

HISTORY

Construction Year: 1908 approximately year listed or earlier year listed or later
Original Use Educational-related From (year): 1908 To (year): 1995
Current Use Museum/Gallery/Planetarium From (year): 1995 To (year): 2024
Other Use _____ From (year): _____ To (year): _____
Moves: yes no unknown Date: 1-1-1995 Original address 4003 Everett Avenue, Middleburg
Alterations: yes no unknown Date: 1-1-1950 Nature cement shingle siding; new roof 2017
Additions: yes no unknown Date: 1-1-1950 Nature rear addition
Architect (last name first): None Builder (last name first): Unknown
Ownership History (especially original owner, dates, profession, etc.)
Original owner was Clay County School Board; present owner is Clay County.

Is the Resource Affected by a Local Preservation Ordinance? yes no unknown Describe City of Stuart Pres. Ord.

DESCRIPTION

Style Frame Vernacular Exterior Plan Rectangular Number of Stories 1
Exterior Fabric(s) 1. Drop siding 2. _____ 3. _____
Roof Type(s) 1. Gable 2. Shed 3. _____
Roof Material(s) 1. Sheet metal:3V crimp 2. _____ 3. _____
Roof secondary strucs. (dormers etc.) 1. _____ 2. _____
Windows (types, materials, etc.)
DHS, wood, 4/4 (original); single hung aluminum (non-historic replacement)
Distinguishing Architectural Features (exterior or interior ornaments)
Grouped (5) windows typical of historic school design; one-room school plan
Ancillary Features / Outbuildings (record outbuildings, major landscape features; use continuation sheet if needed.)
N/A

DHR USE ONLY		OFFICIAL EVALUATION		DHR USE ONLY	
NR List Date	SHPO - Appears to meet criteria for NR listing: <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> insufficient info	Date	_____	Init.	_____
<input type="checkbox"/> Owner Objection	KEEPER - Determined eligible: <input type="checkbox"/> yes <input type="checkbox"/> no	Date	_____		
	NR Criteria for Evaluation: <input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d (see <i>National Register Bulletin 15</i> , p. 2)				



Agenda Item
HISTORIC PRESERVATION BOARD

Clay County Administration Building
Thursday, April 3 5:30 PM

TO: Historic Preservation Board

DATE: 3/26/2025

FROM: Beth Carson, Director,
Planning and Zoning

SUBJECT: Under Article XII, Sec. 12-7(10) of the County's Land Development Code, the Historic Preservation Board is to form a Nominating Committee no later than the April meeting and propose a slate of candidates for Chairperson, Vice-Chairperson and Secretary for the May meeting. Officers are to be elected from nominations received from the committee and/or the floor at the June meeting.

AGENDA ITEM TYPE:

ATTACHMENTS:

	Description	Type	Upload Date	File Name
▣	Sec. 12-7, Land Development Code (portion of)	Backup Material	3/26/2024	Article_X11_AdministrationADA.pdf

ARTICLE XII

**ADMINISTRATION, AMENDMENT
AND ENFORCEMENT**

Sec. 12-1.	Intent.....	1
Sec. 12-2.	Administration.....	1
Sec. 12-3.	Development Review Committee (DRC).....	1
Sec. 12-4.	Board of County Commissioners	2
Sec. 12-5.	Planning Commission.....	2
Sec. 12-6.	Board of Adjustment	4
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Sec. 12-1. INTENT

The intent of this article is to establish provisions that ensure the proper administration, amendment, and enforcement of this code through the establishment of review bodies, procedures for amendment, variance procedures, appeals to administrative decisions and an enforcement body.

Sec. 12-2. ADMINISTRATION

Except as otherwise specifically provided, primary responsibility for administering this code may be assigned by the county manager. The person or persons to whom these functions are assigned shall be referred to in this article as the "administrator". The term "staff" is sometimes used interchangeably with the term "administrator".

Sec. 12-3. DEVELOPMENT REVIEW COMMITTEE (DRC)

- (1) **Establishment** – The Development Review Committee (DRC) was established by the Board to evaluate development proposals within the unincorporated area of the county.
- (2) **Composition** – The DRC shall consist of representatives from various County departments and regulatory agencies.
- (3) **Meetings** – The DRC shall meet weekly as needed. All meetings shall be open to the public and properly noticed.

(4) **Duties** – The DRC shall make recommendations, objections or comments regarding proposed site development plans, plats and rezoning requests for PUD, PID, PCD, BSC, RD, RMHP and PS-5.

Sec. 12-4. BOARD OF COUNTY COMMISSIONERS

(1) **Powers** – The Board of County Commissioners shall have the following powers relative to this code.

- (a) To consider and adopt; consider, amend, and adopt; or consider and reject proposed amendments to this code, including rezoning amendments.
- (b) To consider and repeal or consider and partially repeal this code.
- (c) To establish fees and charges to recover expenses imposed by these regulations.

(2) **Duties** – The Board shall have the following duties relative to adequate enforcement of this code:

- (a) To ensure enforcement of these provisions and restrictions, including taking all necessary appropriate administrative and legal action.
- (b) To appoint and confirm members of the Planning Commission, the Board of Adjustment, and any other board or committee as required by this code.
- (c) To hear and take action regarding development plans for planned developments.
- (d) To hear and take action regarding final subdivision plats.

Sec. 12-5. PLANNING COMMISSION

(1) **Establishment** – There is hereby created a Planning Commission, which shall also be known as the Local Planning Agency for the unincorporated area of the county.

(2) **Composition** – The Planning Commission shall, at a minimum, be composed of seven members appointed by the Board from the unincorporated area of the county.

(3) **Qualifications** – All members of the Planning Commission shall be residents of the county with no member being able to hold any other public position or office in any municipality or county government in the county.

(4) **Terms of Office** – Appointment terms shall commence on January 1st. For the initial term, four members shall serve for a period of two years and three members shall serve for a period of one year. All subsequent terms shall be for a period of two years.

(5) **Removal** – Members of the Planning Commission may be removed for cause by a majority vote of the entire membership of the Board.

(6) **Vacancies** – Vacancies on the Planning Commission shall be filled, as soon as practical, by the Board for the unexpired term of the vacating member.

-
- (7) **Compensation** – The members of the Planning Commission shall serve without compensation but may be paid actual expenses incurred in the performance of their duties. Such expenses shall not exceed the allowances prescribed by state law.
- (8) **Rules of Procedure** – The Planning Commission shall:
- (a) Elect a chairman and a vice-chairman from among its members;
 - (b) Adopt rules for the transaction of its business and keep a properly indexed record of its resolutions, transactions, findings, and determinations, which shall be of a public record; and,
 - (c) Keep records of its proceedings, showing the vote of each member (including the Chairman or Vice-chairman), or if absent or failing to vote, indicating such fact. The Planning Commission shall keep records of its examinations and other official actions.
- (9) **Meetings** – All meetings shall be open to the public and properly noticed. Four members of the Planning Commission shall constitute a quorum and a majority vote of those present shall determine any issue before them. The Planning Commission shall allow all persons a reasonable opportunity to be heard and shall encourage the free exchange of views regarding matters under consideration, but may, at its discretion, limit or eliminate repetitious comments by members of the public.
- (10) **Disqualification** – If any member of the Planning Commission shall find that private or personal interests are involved in the matter coming before them, the member shall disqualify him or herself from all participation in that matter; or the member may be disqualified by an affirmative vote of three members of the Commission.
- (11) **Information and Right of Entry** – All county employees shall, upon request within a reasonable time, furnish to the Planning Commission or its employees or agents such available records or information as may be required in its work. The Planning Commission may, in the performance of its official duties, enter upon lands and make examinations or surveys in the same manner as other authorized county agents or employees, and shall have such other powers as are required for the performance or official functions in carrying out the purposes of the Planning Commission.
- (12) **Powers and Duties** – The powers, and duties of the Planning Commission shall be, in general, the following:
- (a) **Data Gathering and Analysis** – To acquire and maintain such information and materials as is necessary to have an understanding of past trends, present conditions, and forces at work to cause changes in conditions. Such information and material may include maps and photographs of man-made and natural physical features of the county, statistics on past trends and present conditions with respect to population, property values, economic base, land use and such other information as is important in determining the amount, direction and kind of development to be expected in the county.
 - (b) **Principles and Policies** – To prepare and recommend principles and policies for guiding the development of the county.

- (c) Comprehensive Plan Implementation – To prepare and recommend to the Board ordinances, regulations and amendments to this code, which are, designed to implement the Comprehensive Plan and promote orderly development.
- (d) Comprehensive Plan Amendment – To consider whether or not any proposed amendments to the Comprehensive Plan are consistent with the overall goals and objectives of the county.
- (e) Rezoning – To consider whether or not any proposed rezoning request is consistent with the Comprehensive Plan and make recommendations regarding all rezonings to the Board.
- (f) Planning and the Public – To keep the Board and the general public informed and advised on matters relating to planning.
- (g) Public Hearings – To conduct such public hearings as may be required to gather information for the drafting, establishment, and maintenance of the various components of the Comprehensive Plan, and such additional public hearings as are specified under the provisions of this section.
- (h) Special Studies – To make or cause to be made, or obtain special studies on the location, condition, and adequacy of specific facilities. These may include, but are not limited to, studies on housing, commercial and industrial facilities, recreational facilities, schools, public buildings, public and private utilities, traffic, transportation, and parking.
- (i) Other – To perform any other duties which may be lawfully assigned to it or which may have bearing on the preparation or implementation of the Comprehensive Plan.

Sec. 12-6. BOARD OF ADJUSTMENT

- (1) Establishment – There is hereby created a Board of Adjustment (BOA) for the county.
- (2) Composition – The Board of Adjustment shall be composed of five members appointed by the Board from the unincorporated area of the county.
- (3) Qualifications – All members of the Board of Adjustment shall be residents of the county with no member being able to hold any other public position or office in any municipality or county government in the county.
- (4) Terms of Office – Appointment terms shall commence on January 1st. All terms will be for a period of four years.
- (5) Removal – The members of the Board of Adjustment may be subject to removal from office by a majority vote of the full Board upon written charges and after public hearing.
- (6) Vacancies – Vacancies on the Board of Adjustment shall be filled, as soon as practical, by the Board for the unexpired term of the vacating member.

Compensation – The members of the Board of Adjustment shall serve without compensation but may be paid actual expenses incurred in the performance of their duties. Such expenses shall not exceed the allowances prescribed by state law.

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- (7) **Rules of Procedure** –The Board of Adjustment shall organize, adopt rules and perform its duties as called for herein.
- (a) The Board of Adjustment shall elect a chairman and a vice-chairman from among its members.
 - (b) The Board of Adjustment shall adopt rules for the transaction of its business and keep a properly indexed record of its resolutions, transactions, findings, and determinations, which shall be of public record.
 - (c) All meetings of the Board of Adjustment shall be of public record and shall be advertised in accordance with Florida law for public meetings.
 - (d) The Board of Adjustment shall keep records of its proceedings, showing the vote of each member (including the Chairman or Vice-chairman), or if absent or failing to vote indicating such fact. The agency shall keep records of its examinations and other official actions, all of which shall be a public record and be filed immediately in the office of the Clerk of the Circuit Court.
- (8) **Meetings** – All meetings shall be open to the public and properly noticed. Three members of the Board of Adjustment shall constitute a quorum and a majority vote of those present shall determine any issue before the Board of Adjustment unless otherwise specified herein. The Board of Adjustment shall allow all persons a reasonable opportunity to be heard and shall encourage the free exchange of views regarding matters under consideration, but may, at its discretion, limit or eliminate repetitious comments by members of the public. All witnesses shall be sworn.
- (9) **Disqualification** – If any member of the Board of Adjustment finds that private or personal interest are involved in the matter coming before the body, the member shall disqualify him or herself from all participation in that matter; or the member may be disqualified by the affirmative vote of two members of the Board of Adjustment.
- (10) **Information and Right of Entry** – All county employees shall, upon request within a reasonable time, furnish to the Board of Adjustment or its employees or agents such available records or information as may be required in its work. The Board of Adjustment or its employees or agents, may in the performance of official duties enter upon lands and make examinations or surveys in the same manner as other authorized county agents or employees, and shall have such other powers as are required for the performance or official functions in carrying out the purposes of the Board of Adjustment.
- (11) **Powers and Duties** – The Board of Adjustment shall have the following powers and duties:
- (a) **Appeals** – To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this code adopted pursuant to Chapter 163, Florida Statutes;
 - (b) **Interpretation** – To interpret these regulations in this code at the request of the zoning enforcement officials; and,
 - (c) **Granting of Variances** – To receive and consider appeals for the granting of variances from the terms of this code and to grant such variances pursuant to the provisions

established above, provided that no such variance may be granted which allows a use of the property contrary to this code.

Sec. 12-7. HISTORIC PRESERVATION BOARD (CLAY COUNTY HISTORICAL COMMISSION)

(1) **Purpose** - This Article shall be known and may be cited as the "Clay County Historic Preservation Article."

(a) **Purpose**

The purpose of this article is to identify, evaluate, recognize, preserve and protect significant historic and archaeological resources by:

- (1) Creating a Historic Preservation Board with the power and duty to effectively administer this article.
- (2) Empowering the Historic Preservation Board to certify designation of individual properties (including buildings, structures, sites, and objects) and groups of properties (districts) as historically significant using the criteria established in this article.
- (3) Protecting the integrity of historic resources by requiring the issuance of Certificates of Approval before allowing alterations, removal, disturbances or excavation of designated resources.
- (4) Encouraging historic preservation by providing technical assistance and incentives.
- (5) Managing the historic resources owned and/or operated by Clay County in a manner consistent with the Clay County 2001 Comprehensive Plan (the "Plan") and policies maintained by the Florida Department of State, Division of Historic Resources.

(b) **Intent**

The intent of this article is to promote the preservation of historic resources in the interests of the health, safety and welfare of the people of Clay County by:

- (1) Stabilizing and improving property values through the rehabilitation of individual properties and the revitalization of older residential neighborhoods and commercial areas.
- (2) Creating and implementing cultural and educational programs that will foster a better understanding of the County's heritage.
- (3) Promoting the County's historic resources for enjoyment of the citizens of Clay County and as an attraction to visitors and residents thereby stimulating its economic potential.
- (4) Providing to the scientific community intact resources in which to study past human behavior and lifestyles.
- (5) Obtaining Certified Local Government status pursuant to the National Historic Preservation Act of 1966.

(2) **Establishment** – There is hereby created the Historic Preservation Board (the Historical Commission). The Historic Preservation Board shall serve in an advisory capacity to the Board.

(3) **Composition** – The Historic Preservation Board shall be composed of eleven members appointed by the Board from the unincorporated area of the county; one from each commissioner's district and eight at-large members. The majority of the Historic Preservation Board shall demonstrate a concern for historic preservation. When available among applicants

for at-large members, it is preferred to have one member be an architect and one member be a representative from the building industry.

- (4) **Qualifications** – Any member of the Historic Preservation Board shall be a resident of the county with no member being able to hold any other public position or office in any municipal government in the county. Residency members must continue to reside in their designated district. No more than three at-large members may reside in a district.
- (5) **Terms of Office** –The initial terms are five (5) years. Interim appointments serve out the balance of the five-year term. Members shall be eligible for reappointment for one additional term at the discretion of the Board.
- (6) **Responsibilities**
- (a) Members shall maintain relationships with individuals, historical societies, local governments and other groups who have an interest in Clay County history.
 - (b) Members shall seek out areas to collaborate to achieve the Historic Preservation Board’s purpose.
 - (c) Members shall advance requests from the community for assistance with historical projects when in the member’s judgment the project has merit.
- (7) **Removal** – Members of the Historic Preservation Board may be removed for cause by a majority vote of the entire membership of the Board. Failure of a member to attend three consecutive meetings may result in the member forfeiting his office and the Historic Preservation Board can recommend to the Board of County Commissioners (BCC) that the member be removed.
- (8) **Vacancies** – Vacancies on the Historic Preservation Board shall be filled, as soon as practical, by the Board for the unexpired term of the vacating member.
- (9) **Compensation** – The members of the Historic Preservation Board shall serve without compensation but may be paid actual expenses incurred in the performance of their duties. Such expenses shall not exceed the allowances prescribed by state law.
- (10) **Rules of Procedure** –The Historic Preservation Board shall organize, adopt rules, and perform its duties as called for herein.
- (a) The members of the Historic Preservation Board shall elect a chairperson, vice-chairperson, and secretary, who shall each serve a one- year term.
 - 1. A nominating committee shall be formed no later than the April meeting and shall propose a slate no later than the May meeting.
 - 2. Officers shall be elected from nominations received from the nominating committee and/or the floor at the June meeting.
 - 3. Officer terms shall be one year, commencing on July 1.
 - 4. No officer shall be elected whose Board term has less than one year remaining.
 - 5. Officers shall not serve more than two consecutive terms.

- (b) The Historic Preservation Board shall adopt rules for the transaction of its business and keep a properly indexed record of its resolutions, transactions, findings, and determinations, which shall be of public record.
- (c) The Historic Preservation Board shall keep records of its proceedings, showing the vote of each member (including the Chairman or Vice-chairman), or if absent or failing to vote indicating such fact. The Historic Preservation Board shall keep records of its examinations and other official actions, all of which shall be a public record and shall be filed with the Clerk of the Circuit Court. The building official of the county shall act as an advisor to the Historic Preservation Board and the planning department as its staff.
- (d) Upon written request by at least three members of the Historic Preservation Board, or at such other times as may be necessary, the chairman of the Historic Preservation Board may call an emergency meeting. Such meeting will be noticed in a newspaper of general circulation at least three days in advance of the meeting and shall be open to the public.
- (e) The Historic Preservation Board shall be governed by *Roberts Rules of Order*.

(11) Officers

- (a) The Chairperson shall:
 1. Schedule and conduct all meetings and appoint committees as needed.
 2. Represent the Board at BCC meetings.
 3. Manage the Board's budget status and dispersal of funds.
 4. Include these topics on the Board agenda at least once per year:
 - i. Annual planning session to discuss focus areas and dates and times of regular meetings.
 - ii. Sunshine Law refresher briefing.
 - iii. County procurement procedures.
 5. Update the board on budget status and BCC activities from time to time.
 6. Delegate these responsibilities with the Board's consent.
- (b) The Vice-Chairman shall serve as the Chairperson's assistant and conduct meetings in the Chair's absence.
- (c) The Secretary shall take minutes at Board meetings and shall provide copies to each member at the next meeting. After the Board approves the minutes, the Secretary shall forward them to the BCC to be attached to its minutes and to the Clay County Archives to be included in a central file.

(12) Disqualification – If any member of the Historic Preservation Board shall find that private or personal interests are involved in the matter coming before the Board, the member shall disqualify him or herself from all participation in that matter; or the member may be disqualified by the affirmative vote of a simple majority of the Board members present at the meeting.

(13) Information and Right of Entry – All county employees shall, upon request within a reasonable time, furnish to the Historic Preservation Board or its employees or agents such available records or information as may be required in its work. The Historic Preservation Board or its employees or agents, may in the performance of official duties enter upon lands and make examinations or surveys in the same manner as other authorized county agents or employees, and shall have such

other powers as are required for the performance or official functions in carrying out the purposes of the Historic Preservation Board.

(14) Powers and Duties – The Historic Preservation Board shall have the following powers and duties:

- (a) To make recommendations to the Board for the designation of property as an Historic Preservation Overlay District;
- (b) To propose rules and procedures necessary for the implementation of the provisions of this section;
- (c) To regulate the alteration, new construction, relocation, and demolition of property within a Historic Preservation Overlay District, in coordination with the established building permit procedures of the county;
- (d) To collect, arrange, record, publish and preserve historical material and data illustrative of and relating to the history of the county;
- (e) To advise the Board on all matters related to historic preservation policy;
- (f) To propose and recommend to the Board financial and technical incentive programs to further the objectives of historic preservation;
- (g) To request grant assistance, through the Board, from state, federal or private sources for the purpose of furthering the objectives of historic preservation;
- (h) To educate owners of designated historic resources and the general public on the benefits of historic preservation and federal, state and local laws and policies regarding the protection of historic resources;
- (i) To seek designation as a Certified Local Government and upon designation, review all nominations of property within the county to the National Register of Historic Places pursuant to the regulations established by the State Historic Preservation Officer and procedures outlined in the section entitled *National Register of Historic Places Review Authority Procedures*;
- (j) In cooperation with any municipality or historical society in the county, to identify by monuments, tablets, or markers, locations where events of historical significance have occurred;
- (k) To represent the county at pertinent historic preservation educational meetings, workshops, and conferences;
- (l) To seek expertise on proposals or matters requiring evaluation by a professional or a discipline not represented on the Historic Preservation Board;
- (m) To annually update existing survey and inventory of historic buildings, areas, and archaeological sites in the county, which shall be compatible with the Florida Master Site File, and to plan for their preservation; and,
- (n) To perform any other function or duty related to historic preservation authorized under this section or assigned by the Board.

(15) Meetings

- (a) Regular meetings will be held as agreed by the Board.
- (b) Special meetings of the Board or its committees may be called as needed.
- (c) Notice of meetings shall be sent to members by email and posted on the County website.
- (d) Members shall not discuss Board business among themselves except at public meetings.

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- (e) A quorum, as per ordinance, is a simple majority of all sitting Board members.
 - (f) The Board shall make an effort to meet in County facilities or in areas of historical significance.

(16) Designation of Historic Districts, Landmarks and Sites

(a) Criteria for Designation

The HP Board shall have the sole authority to recommend to the Board the designation of areas, places, buildings, structures, or archaeological sites as individual historic sites, districts, or archaeological zones that meet one or more of the following:

1. Are significant to Clay County's history, architecture, archaeology, or culture, and possess an integrity of location, design, setting, materials, workmanship, or association; or
2. Are associated with distinctive elements of the social, political, economic, scientific, religious, or architectural history of Clay County, the state, or the nation; or
3. Are associated with the lives of significant persons; or
4. Embody the distinctive characteristics of an architectural type, period, style, or method of construction or work; or that possess high artistic value; or
5. Have yielded or are likely to yield information about the history of Clay County; or
6. Are listed in the National Register of Historic Places.
7. Certain properties, which include cemeteries, birthplaces, properties owned by religious institutions or used for religious purposes, structures that have been removed from their original locations, properties commemorative in nature, and properties that have achieved significance within the last fifty years, will not normally be considered for designation. Such properties will qualify, however, if they are integral parts of districts that do meet the criteria or if they fall within the following categories:
 - i. A religious property deriving primary significance from architectural or artistic distinction of historical importance.
 - ii. A building or structure removed from its location but which is primarily significant for architectural value, or is the surviving structure most importantly associated with a historic event or person.
 - iii. A birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with that figure's productive life.
 - iv. A cemetery that derives its primary significance from graves of persons of transcendent importance, from age, distinctive design features, or from association with historic events.
 - v. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance.
 - vi. A property or district achieving significance within the past fifty years if it is of exceptional importance.

(b) Incentives for Designation

Property designated pursuant to this Ordinance shall be eligible for exemptions from Clay County Land Development Regulations, Section 3-11, Nonconforming Uses, Lots and Structures, and from the sections of the Standard Building Code accorded to special historic buildings.

(c) Designation Restrictions

Property owners receiving designation pursuant to this Article shall be subject to the requirements of (18) hereto, prior to the performance of any activity which may affect the historic significance of the site.

(17) Procedures for Designation as a Historic Site

(a) Procedures for Petition for Designation

The following procedure shall govern petitions for the designation of structures, districts or sites pursuant to this Article:

Petitions for Designation shall be made to the HP Board on a form provided by the staff of the HP Board and may be submitted by the owner of record of the nominated property or structure, the Board, a member of the HP Board, or any other person or organization. Petitions must be received by the HP Board staff a minimum of thirty (30) days prior to the public hearing at which the petition is to be heard. The HP Board, at their next regularly scheduled meeting, shall hold a public hearing on the petition and shall notify the property owner by certified mail at least seven (7) days in advance of the hearing. Notice of the public hearing shall also be published in a newspaper meeting the requirements of Florida law regarding legal and official advertisements at least seven (7) days in advance of the hearing and shall identify the location of designation and the HP Board's intent to hold a public hearing to receive comment.

The Petition for Designation shall contain the following:

1. The historical, cultural, architectural, and archaeological significance of the property or properties recommended for designation;
2. An identification of all structures within a proposed district, classifying them as contributing or non-contributing, with an explanation of the criteria used in developing the classification;
3. A written description of the boundaries of the site, structure, district, or archaeological zone recommended for designation, an explanation of the reasons for those boundaries, and a map illustrating the boundaries. A map illustrating a historic district shall show contributing and non-contributing properties;
4. Photographic documentation of individual sites and structures recommended for designation;
5. A list of properties identifying parcel number(s) and owner(s) of record.

(b) Hearing by HP Board

The HP Board shall hold a public hearing upon every Petition for Designation. At such public hearing, any person may present testimony or documentary evidence concerning the

significance of the property under consideration. At the close of the public hearing, the HP Board shall recommend to the Board a vote in favor of or against the proposed designation.

If the HP Board votes to recommend in favor of the proposed designation, such action will be reported to the Board by the Chairman. If the HP Board does not vote in favor of the proposed designation, the decision of the HP Board shall be final and the property shall not be forwarded to the Board for consideration.

(c) Owner Petition

A notarized statement in the Petition for Designation application form shall serve as the owner's approval of the requested designation.

(d) Non-Owner Petition

Petitions for Designation may be initiated by persons other than the property owner. Upon approval by the HP Board of a Non-owner Petition for Designation, notice of the proposed designation shall be sent by certified mail to the owner of record of the property proposed for designation or to each owner of record of property in a proposed district, along with a statement of approval/objection. The notice shall describe the property proposed for designation and shall announce a public hearing of the Board to consider such designation to be held within sixty (60) days after mailing of such notice.

All notified owners of property shall return a notarized statement to the HP Board certifying that the party is the sole or partial owner of the property and that he or she approves of or objects to the proposed designation. The property owner shall be advised that the notarized statement must be completed and returned within fifteen (15) days after receipt. If, after fifteen (15) days the owner has not returned the statement, a second statement will be sent by certified mail and an attempt to contact the owner by phone will be made. The petition will not be forwarded to the Board for consideration at the forementioned public hearing unless a statement of approval has been received by the owner within twenty (20) days of the Board meeting.

1. Individual Property Designation

The HP Board shall take no action upon a proposed designation of an individual property if a statement of objection has been returned by the property owner.

2. District Designation

The HP Board shall take no action upon a proposed district designation if statements of objection have been received from either:

- i. The owner or owners of a majority of the separate parcels in the proposed district. (For purpose of this section, a separate parcel shall mean a parcel depicted in the then current records of the Property Appraiser.)
- ii. The owner or owners of a majority of the land area in the proposed district.

(e) HP Board Recommendation to Board

The HP Board's recommendation for approval shall be forwarded to the Board for consideration at public hearing to be scheduled within forty-five (45) days of HP Board

meeting. Recommendation shall include completed application, minutes of the HP Board public hearing and the proposed ordinance implementing the designation.

(f) Public Hearing by Board

The designation by ordinance of a historic site, building, district, or archaeological zone shall be noticed pursuant to Section 125.66, Florida Statute.

(g) Applicability

1. After adoption of a Designation Ordinance by the Board, designated structures, sites, districts, and archaeological zones shall remain designated as historically or archaeologically significant to Clay County unless such designation is removed by subsequent ordinance of the Board in accordance with (17)(h) of this Ordinance.
2. An ordinance providing for designation of a structure/building as historically significant shall pertain to the structure/building and not to the site upon which the structure/building is located. The Designation Ordinance may, however, contain conditions to ensure the preservation of the setting in which the structure/building exists if the setting was a significant consideration in the designation of the structure/building.
3. The Ordinance shall specify that the newly designated historic sites, structures, buildings or district shall be maintained on a Historic Sites Map within the Zoning Department. The Historic Sites Map shall show the location of sites and structures/buildings designated as landmarks and shall show the boundaries of Designated Historic Districts. Within such districts, the map shall identify contributing and non-contributing structures.

(h) Procedures for Removal of Designation

Procedures for removal of designation shall be the same as procedures for designation pursuant to (17), hereto, on a form provided by the HP Board.

To be eligible for consideration by the HP Board any alteration undertaken during the period of designation must be identified and inspected by the appropriate building official for verification that such alteration, upon removal of designation, will conform to the requirements of the Standard Building Code.

The Building Official will, within fifteen (15) days of receipt of request for designation removal, report findings to HP Board and property owner on certification form provided by the HP Board.

If it is determined by the Building Official that a nonconformity will occur as a result of designation removal, the Building Official will make recommendations to the property owner (on certification form) to bring the property into compliance with the Standard Building Code, within a time period deemed appropriate by the Building Official.

(i) Criteria for Removal

The HP Board may remove the historic or archaeological designation from a structure or site by ordinance, provided that:

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1. The subject property no longer meets applicable criteria for designation found in (16)(a).
 2. Additional information indicates that the subject property does not meet the applicable criteria for designation found in (16)(a).
 3. An error in professional judgement was made by the HP Board in the recommendation for designation of the subject property.
 4. A procedural error occurred in the original designation process.
 5. It has been determined by the HP Board that the property owner has violated a term or condition of a Certificate of Approval.
 6. The property owner applies to remove the designation provided that incentives pursuant to (22) have not been availed.

(j) Notification of Designation Action

Within thirty (30) days of adoption of a Designation Ordinance, a certified copy of the Designation Ordinance along with a summary explanation of the effect of such designation shall be filed with the Property Appraiser, Building Official and Zoning Department. Such notification will also be sent to the owner or owners of the designated property or located within the boundaries of designated historic districts.

(18) Certificate of Approval

(a) Actions Requiring a Certificate of Approval

A Certificate of Approval shall be required before certain actions affecting a Designated Historic Landmark or a Designated Historic District may be undertaken. The HP Board will review and approve or deny applications for the following:

1. Certificate of Approval for Construction and Reconstruction
 2. Certificate of Approval for Alteration, Restoration, Rehabilitation, and Relocation
 3. Certificate of Approval for Stabilization
 4. Certificate of Approval for Demolition
- i. When passing upon a Certificate of Approval for demolition, the HP Board shall consider the following criteria:
- a. The historic or architectural significance of the building or structure.
 - b. The importance of the building or structure to the ambiance of a district, if applicable.
 - c. The difficulty or impossibility of reproducing such a building or structure because of its design, texture, material, detail or unique location.
 - d. Whether the building or structure is one of the last remaining examples of its kind in the neighborhood or in the County.
 - e. The future utilization of the site.
 - f. Whether reasonable measures can be taken to save the building or structure.

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- g. Whether the building or structure is capable of earning a reasonable economic return on its value and whether the perpetuation of the building or structure, considering its physical condition, its location and the anticipated expense of rehabilitation would be economically feasible.

(b) Method of Application

The application for Certificate of Approval shall be made by the owner or agent on a form provided by the HP Board and shall be accompanied by such plans, drawings, materials, or photographs as deemed appropriate to describe the proposed alteration and enable the HP Board to visualize the effect of the proposed alteration on the property and adjacent buildings and streetscapes. If such application involves a designated archaeological site, the applicant shall provide full plans and specifications of work that may effect the surface and subsurface of the archaeological site.

1. All permits for land or building alteration activity affecting property designated as historically or archaeologically significant pursuant to this Article shall be referred to the HP Board staff for a determination of whether a Certificate of Approval is required.
2. The HP Board shall develop procedures and forms for making application for a Certificate of Approval.

(c) Standards for Review

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes have acquired historic significance in their own right and shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

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8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 9. New additions, exterior alteration, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(d) Determination by the HP Board

Based on the guidelines and standards for preservation, (18)(c), a complete application for Certificate of Approval, additional plans, drawings, or photographs that describe the proposed alteration, and any other guidelines the HP Board may deem necessary, the HP Board shall, at their next scheduled meeting, approve or deny the application for a Certificate of Approval by the owner or owners of a Designated Historic Landmark, or property within a Designated Historic District. The findings of the HP Board shall be mailed to the applicant and provided to the Building Department within seven (7) days of their decision and shall be accompanied by a Certificate of Approval in case of approval.

(e) Denial of a Certificate of Approval

Upon denial of a Certificate of Approval, the HP Board shall mail a statement of the reason(s) for such denial to the applicant within fifty-two (52) days from the date of review. The HP Board shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the HP Board to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the differences between the owner and the HP Board. The applicant may resubmit an amended application, reapply for a building or demolition permit that takes into consideration the recommendations of the HP Board, or apply for a Certificate of Economic Hardship.

(f) Certificate of Economic Hardship

1. Application for a Certificate of Economic Hardship shall be made on a form prepared by the HP Board. The HP Board shall schedule a public hearing concerning the application and provide notice in the same manner as in (17)(a) of this Article, and any person may testify at the hearing concerning economic hardship.
2. The HP Board may solicit expert testimony or require that the applicant for a Certificate of Economic Hardship make submissions concerning the estimate of the cost of the proposed construction, alteration, demolition, or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the HP Board for changes necessary for the issuance of a Certificate of Approval.
3. The HP Board shall review all the evidence and information required of an applicant for a Certificate of Economic Hardship and make a determination within forty-five (45) days of receipt of the application whether the denial of a Certificate of

Approval has deprived, or will deprive, the owner of the property of reasonable use of, or economic return on, the property. Written notice of the determination shall be provided in the same manner as required by (18)(e).

- (g) Failure to Obtain a Certificate of Approval
Violations of this section will be reported to the Code Enforcement Department for enforcement in accordance with (25) of this Article.

(19) Archaeological Site Review

Archaeologically sensitive zones within the County shall be defined on an "Areas of Archaeological Sensitivity" Map maintained by the Planning Department as part of the Clay County 2040 Comprehensive Plan. The following procedures shall apply for projects requiring a permit for excavation or other below-grade activity:

- (a) If, in the course of construction, an archaeological site is discovered, whether the site is in an archaeologically sensitive zone or not, the owner of the property shall immediately notify the Planning Department for assistance in consulting with a qualified archaeologist. The archaeologist will perform a survey funded by the property owner to determine the effect that any such project may have on the site.
- (b) Where no effect or adverse effect is found, the project shall proceed following procedures set forth by the County for the activity.
- (c) Where an effect or adverse effect is found, the Planning Department shall refer the information to the HP Board with the results of the professional survey. In making its recommendation, the HP Board shall consider measures to avoid, reduce, or mitigate the effect on cultural or historic sites while taking into consideration the current needs of the property owner and reasonable methods for carrying out the recommended plan. If the HP Board deems that a Certificate of Approval is necessary, the procedures outlined in (18)(a) shall thereupon take effect.
- (d) Penalty for Non-Compliance. Knowing failure to comply with (19) of this Article shall be a second degree misdemeanor punishable as provided by Florida law.

(20) Maintenance and Repair of Landmarks, Landmark Sites and Property in Historic Districts

- (a) Every owner of designated landmarks, landmark sites or properties in a historic district shall keep in good repair:
 - 1. All of the exterior portions of such buildings or structures.
 - 2. All interior portions thereof which, if not so maintained, may cause such buildings or structures to deteriorate or to become damaged or to otherwise fall into a state of disrepair.
 - 3. The archaeological integrity of the site, if the property is designated as a historic site by virtue of its archaeological significance.
- (b) The HP Board may refer violations of this section to the Code Enforcement Department for enforcement proceedings in accordance with (25) of this Article on any building or structure designated under this article so that such building or structure shall be preserved in accordance with the purposes of this article.

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- (c) The provision of this article shall be in addition to the provisions of the building code requiring such buildings and structures to be kept in good repair.

(21) Ordinary Maintenance

- (a) Nothing in this Article shall be construed to prevent the ordinary maintenance or repair of any exterior feature of any historic structure that does not involve a change in material, design, or outer appearance thereof.
- (b) Nothing in this Article shall prevent the alteration, construction, reconstruction, repair, or demolition of a designated structure on an emergency basis when the Clay County Building Official certifies in writing that such work is necessary for the purpose of correcting conditions determined to be dangerous to life, health or property.

(22) Incentives for Preserving Significant Structures

The following incentives shall apply to historically significant properties:

- (a) Structures which have been designated as historically significant pursuant to this Article shall be exempt from the provisions of the zoning regulations concerning limitations upon the repair of non-conforming structures, (Sec. 3-11. Non-conforming Uses, Lots and Structures, Clay County Land Development Regulations).
- (b) Structures located in a district which has been designated as a historic district pursuant to this Article shall be exempt from the provisions of the zoning regulations concerning limitations upon the repair of non-conforming structures, provided that such structures have been classified as contributing (Sec. 3-11. Non-conforming Uses, Lots and Structures, Clay County Land Development Regulations).
- (c) Historically designated structures and structures which are located in a designated historical district and which have been classified as contributing shall qualify for the exemption accorded to special historic buildings under the sections of the Standard Building Code (Chapter 1, Paragraph 101.6) and accumulated revisions, provided that the building meets all other requirements of the section to the satisfaction of the Clay County Building Official.
- (d) Owners of historically designated structures and owners of structures classified as contributing to a designated historic district may petition the appropriate Clay County official for any type of use which would serve to perpetuate the viable contemporary use of the historic structure, regardless of whether such use is permitted as a conditional use in the zoning category in which the historic structure is located.

(23) Appeals

Within twenty (20) days of the written decision concerning any subject brought before the HP Board, a petitioner may appeal the decision by filing a written notice of appeal with the Clerk of the County Court. The notice of appeal shall state the decision which is being appealed, the grounds for the appeal, and a brief summary of the relief which is sought. Within sixty (60) days of the filing of the appeal, the Board shall conduct a public hearing at which time it may affirm, modify or reverse the decision of the HP Board. Nothing contained herein shall preclude the Board from seeking additional information prior to rendering a final decision. The decision of the Board shall be in writing and a copy of the decision shall be forwarded to the HP Board and the appealing party.

(24) Fees and Penalties

The HP Board may forward proposed processing fees for consideration by the Board, for the review of Applications for Designation, Certificates of Approval, and Certificates of Economic Hardship. Any person who undertakes or causes an alteration, construction, demolition, or removal of any nominated or designated landmark or property within a nominated or designated historic district without a Certificate of Approval or a Certificate of Economic Hardship shall be subject to enforcement proceedings as cited in (25) hereto. The HP Board may institute any appropriate action or, proceeding in the name of Clay County, enjoin, correct, or abate any violation of this Article.

(25) **Enforcement**

Clay County Code Enforcement Officers are hereby authorized to enforce this Article, pursuant to Section 403.413(6), Florida Statutes, by issuance of notices to appear before the Code Enforcement Board to persons alleged to be in violation of this Article.

Sec. 12-8. CITIZEN ADVISORY COMMITTEES

- (1) **Purpose and Intent** – This section is to codify the responsibilities and duties of the Citizen Advisory Committees established by Resolution 89-21R on March 28, 1989. The intent of this section is to provide a standardized operational framework for the execution of the duties of the Citizen Advisory Committees.
- (2) **Establishment** – On March 28, 1989, the Board of County Commissioners adopted Resolution 89-21R establishing five Planning Districts and creating a Citizen Advisory Committee for each such district. On January 25, 2022, by amendment to Resolution 89-21R, the number of Planning Districts was increased to seven.
- (3) **Responsibilities** – Members shall hear applications for a change of the Future Land Use or Zoning District designation of properties within their respective Planning District and vote to recommend approval, approval with changes or denial of the application to the Planning Commission.
- (4) **Composition** – Each Citizen Advisory Committee shall be composed of six to eleven members. The Board of County Commissioners shall appoint the committee members from residents within the respective planning district.
- (5) **Terms of Office** – Committee members shall serve two- year terms on a staggered basis. For the initial terms, committees comprised of size, eight, or ten members shall have half of the members initial terms be set at one year. Committees comprised of seven, nine or eleven members shall have four, five or six members initial terms set respectively at one year.
- (6) **Disqualification** – If any member of a Citizen Advisory Committee shall find that private or personal interests are involved in the matter coming before the Committee, the member shall disqualify him or herself from all participation in that matter; or the member may be disqualified by the affirming vote of a simple majority of the Committee members present at the meeting.
- (7) **Removal** – Members of a Citizen Advisory Committee may be removed for cause by a majority vote of the entire membership of the Board of County Commissioners. Failure of a member to attend three consecutive meetings may result in the member forfeiting his office and the Citizen Advisory Committees can recommend to the Board of County Commissioners that the member be removed.
- (8) **Vacancies** – Vacancies on a Citizen Advisory Committee shall be filled, as soon as practical, by the Board of County Commissioners for the unexpired term of the vacating member.
- (9) **Officers** –

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- a. The Chairperson shall:
 - 1. Conduct all meetings.
 - 2. Represent the Committee at Planning Commission and Board of County Commissioners meetings.
 - b. The Vice-Chairman shall:
 - 1. Serve as the Chairperson's assistance.
 - 2. Conduct meetings in the Chairperson's absence
 - 3. Represent the Committee at Planning Commission and Board of County Commissioners meetings in the Chairperson's absence
 - c. The Secretary shall:
 - 1. Take minutes of each meeting.
 - 2. Provide a copy of the minutes to the Board of County Commissioners to be attached to its minutes.
- (10) **Administrative Support** – The Director of the Planning & Zoning Division or designee is responsible for overseeing the Citizen Advisory Committees and shall organize and coordinate administrative, professional and technical support as appropriate to the Committees. Staff will be responsible for identifying applications within an active Committee's boundary, scheduling a meeting of the respective Committee, placing required legal advertisement of the meeting with a newspaper of general circulation and providing an agenda to the Committee members. Staff may occasionally attend Committee meetings.
- (11) **Rules of Procedure** – The Citizen Advisory Committees shall organize and perform their duties as called for herein.
- a. The members of the Citizen Advisory Committees shall elect a chairperson, vice-chairperson and secretary who shall each serve a one-year term.
 - 1. Officers shall be elected from nominations received from the floor at the first meetings of the calendar year.
 - 2. Officer terms shall be one year, commencing on February 1.
 - 3. No officer shall be elected whose Committee term has less than one year remaining.
 - b. A quorum is a simple majority of all sitting Committee members.
- (12) **Meetings** – Meetings of the Citizen Advisory Committees shall be considered public meetings and the following shall apply:
- a. All notices of a Committee meeting shall conform to the requirements of Florida law regarding legal and official advertisements. The advertisement shall be published at least seven (7) days prior to the meeting in a newspaper that is published at least weekly. The notice shall state the Committee's intent to hear public comments and shall identify the date, time and place of the meeting.
 - b. Minutes of the Committee meetings shall be taken by the Secretary.
 - c. Notice of meetings and the meeting agenda shall be sent to members by email and posted on the County website.
 - d. Members shall not discuss Committee business among themselves except during duly noticed public meetings.
 - e. The Committee shall meet in either a publicly accessible facility within the Committee's Planning District at is ADA accessible or at the Clay County Administration Building.

Sec. 12-9. REZONINGS AND AMENDMENTS TO THE CODE

(1) **Definitions** - The definitions provided for in section 20.1-11 of the Clay County Land Development Code (the Code) shall apply and are incorporated as if fully set forth herein. In addition, the following definitions shall apply to this Article:

- (a) *Amendment to the Code* means the procedures by which an ordinance of the County is enacted which results in a change to the text of the Code.
- (b) *Applicant* means any owner, or individual legally authorized by the owner of real property to represent such owner's interest in regard to the Rezoning of real property.
- (c) *Clay County Land Development Regulations (LDR)* means ordinances enacted by the Board for the regulation of any aspect of land development and includes any concurrency action, zoning, rezoning, subdivision, environmental, or sign regulation.
- (d) *LDR Zoning Atlas* means the series of official maps of Clay County which depict the boundaries of the various zoning districts assigned to the unincorporated lands of Clay County, Florida and as provided for in section 20.3-2 of the Code.
- (e) *Local Planning Agency* means the Clay County Planning Commission.
- (f) *Rezoning* means the procedures by which an ordinance of the County is enacted which results in a change to the LDR Zoning Atlas. Administrative Rezoning means Rezoning initiated by the Board or the Local Planning Agency. Map Error Rezoning means Administrative Rezoning which corrects scrivener's errors in the LDR Zoning Atlas or corrects zoning classifications assigned in error and inconsistent with the Comprehensive Plan.
- (g) *Zoning Department* means the Zoning Department of Clay County.
- (h) *Zoning Director* means the Director of the Zoning Department or his or her designee.

(2) **Initiation of a Rezoning or of an Amendment to the Code** - The Code and the LDR Zoning Atlas may from time to time be amended, supplemented, changed or repealed. The procedures utilized shall be as follows:

- (a) An Amendment to the Code may be proposed by the Board, the Local Planning Agency, or any other department or agency of the County. Any person or Applicant may request the Board to consider an Amendment to the Code.
- (b) An Administrative Rezoning may be proposed by the Board, the Local Planning Agency, any other department or agency of the County. An Applicant may request a Rezoning; however, no Applicant shall apply for Rezoning of real property (except as agent for an owner) for which he or she does not hold title.

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- (c) All proposals by Applicants for Rezoning shall be submitted in writing to the Zoning Department accompanied by:
1. A completed application on the form furnished by the Zoning Department;
 2. A legal description of the real property;
 3. A copy of the recorded deed of the real property vesting title in the Applicant;
 4. A minimum standards survey of the real property;
 5. A site plan, if applicable for Rezoning applications for zoning classifications: PCD, PUD, PID, RD OR BSC, as described in Article III of the Code; and
 6. Applicable fees as determined by resolution adopted by the Board.
- (d) All Rezoning applications must initially be determined by the Zoning Department to be consistent with the Comprehensive Plan, as defined in Section 20.3-9 of the Code (the Plan), or be accompanied by an application for a Plan amendment, which if granted would render the proposed Rezoning consistent with the Plan. Any application for rezoning which requires first that the Plan be amended, will not become effective unless and until the referenced Plan amendment is approved by the Board and effective pursuant to provisions of Florida law.
- (e) Until the applicable fee and other charges as outlined in this section of Article II have been paid in full by an Applicant, no action of any type shall be taken on an application for Rezoning.
- (3) **General Criteria for Rezoning Application for Rezoning** - In reviewing the proposed application for Rezoning, the following criteria may 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;
 - (b) Whether the district boundaries are illogically drawn in relation to the existing conditions on the real property proposed for change;
 - (c) Whether the conditions which existed at the time the real property was originally zoned have changed or are changing, and, to maintain consistency with the Plan, favor the adoption of the proposed Rezoning;
 - (d) Whether the affected real property cannot be used in accordance with existing zoning;
 - (e) Whether the proposed Rezoning application is compatible with and furthers the County's stated objectives and policies of the Plan;
 - (f) Whether maintenance of the existing zoning classification for the proposed Rezoning serves a legitimate public purpose;
 - (g) Whether maintenance of the status quo is no longer reasonable when the proposed

Rezoning is inconsistent with surrounding land use;

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

(4) **General Criteria for Rezoning Amendments to the Code** - 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
- (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.

(5) **Rezoning Applications--Public Hearing and Notice Requirements for Rezoning Applications before the Local Planning Agency**

- (a) All ordinances enacting Rezoning shall first be heard at a public hearing before the Local Planning Agency at least seven days after the notice for the hearing is published.
- (b) In the case of a Rezoning initiated by an Applicant the public hearing before the Local Planning Agency shall take place no later than seventy days following the date upon which the Zoning Director determines that a Rezoning application as submitted to the Zoning Department is complete, unless the Applicant requests additional time.
- (c) For all Rezoning applications, whether an Administrative Rezoning initiated by the Board or a Rezoning initiated by an Applicant, and prior to the hearing before the Local Planning Agency, the Zoning Director shall prepare and furnish to the Local Planning Agency a Site and Development Plan Report, which shall be considered by the Local Planning Agency. Prior to the close of the public hearing, the Applicant, as applicable, shall have the opportunity and the right to respond to testimony or other evidence presented during the public hearing. After the close of the public hearing, the Local Planning Agency may approve the proposed application, approve the proposed application with modifications, or disapprove the proposed application, or continue the hearing in its discretion to an announced time and date certain without the need for republication of notice, and shall make a report of same to the Board.
- (d) The report and recommendation of the Local Planning Agency shall be advisory only and shall not be binding upon the Board.
- (e) No Rezoning application will proceed to public hearing before the Local Planning Agency until all publication fees for notices have been paid in full and proof of publication provided prior to the hearing. In the event the publication fee is not paid prior to the Local Planning Agency hearing, the matter shall be readvertised and

rescheduled to the next available Local Planning Agency meeting at which Rezoning applications may be heard.

- (f) All notices of a public hearing before the Local Planning Agency for enacting a Rezoning ordinance shall conform to the requirements of Florida law regarding legal and official advertisements. The advertisement shall appear in a newspaper that is published at least weekly.
- (g) The notice of the public hearing shall state the intent of the Local Planning Agency to consider a rezoning application and shall specify the time date and place of the public hearing; the title or titles of the proposed ordinance; and the place or places within the County where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.
- (h) Notice of the public hearing before the Local Planning Agency shall be in the form required by the Zoning Department, and shall be published once, at the Applicant's expense. The notice shall be published at least seven days prior to the public hearing before the Local Planning Agency.
- (i) Notice of a public hearing before the Local Planning Agency for enacting a Rezoning ordinance shall be mailed to all owners of real property located within 350 feet of the property line of the real property sought to be rezoned and for Administrative Rezoning, additionally to all owners of real property subject to the Rezoning, as determined by the Property Appraiser's records, and shall state the intent of the Local Planning Agency to consider a Rezoning application, shall specify the time, date and place of the public hearing, the place within the County where such proposed ordinance may be inspected by the public, and shall also advise that interested parties may appear at the meetings and be heard with respect to the proposed ordinance. The notices shall be mailed no later than 15 days prior to the date of the hearing before the Local Planning Agency. One notice containing the dates, times and place of all hearings before the Local Planning Agency and the Board as well as all other required information may be utilized.

(6) Rezoning Applications--Public Hearing and Notice Requirements for Rezoning Real Property before the Board of County Commissioners

In addition to the public hearing before the Local Planning Agency, the proposed Rezoning will be subject to the following public hearing requirements before the Board:

- (a) For Applicant Rezonings, there shall be one public hearing before the Board which shall be held at least ten days after the notice of the public hearing is published. The hearing before the Board shall take place at a regularly scheduled meeting.
- (b) For Administrative Rezonings, there shall be two public hearings held before the Board at its regularly scheduled meetings. One of the hearings before the Board shall be held

after 5:00 p.m. The first hearing shall be held at least seven days after the day that the notice for the first public hearing is published. The second hearing shall be held at least ten days after the first hearing and at least five days after the day that the notice for the second public hearing is published.

- (c) Prior to the close of the public hearing or hearings, as applicable, the Applicant, as applicable, shall have the opportunity and the right to respond to testimony or other evidence presented during the public hearing. After the close of the public hearing or hearings, as applicable, the Board may approve the proposed application, approve the proposed application with modifications, disapprove the proposed application, or continue the public hearing at its discretion to an announced time and date certain without the need for republication of notice.
- (d) No Rezoning application will proceed to public hearing before the Board until all publication fees for notices have been paid in full and proof of publication provided prior to each hearing. In the event the publication fee is not paid prior to the applicable public hearing, the matter shall be readvertised and rescheduled to the next available Board meeting, at which Rezoning applications may be heard.
- (e) All notices of a public hearing for enacting a Rezoning ordinance shall be placed by the Board and conform to the requirements of Florida law for legal and official advertisements regarding size and placement of the notice in a newspaper of general paid circulation in the County. The advertisement shall appear in a newspaper that is published at least five days a week. In addition, the following notice requirements will apply:
 - 1. Publication and mailing of notices for Rezoning initiated by an Applicant:
 - (i) The notices of the public hearings shall state the intent of the Board to consider a Rezoning application and shall specify the time, date and place of the public hearing; the title or titles of the proposed ordinance; and the place or places within the County where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.
 - (ii) Notice of the public hearing before the Board shall be in the form required by the Zoning Department, and shall be published once, at the Applicant's expense. The notice shall be published at least ten days prior to the public hearing before the Board.
 - (iii) Notice of a public hearing before the Board shall be mailed to all owners of real property located within 350 feet of the property line of the real property sought to be rezoned, as determined by the Property Appraiser's records, and shall state the intent of the Board to consider a Rezoning application, shall specify the time, date, and place of the public hearing, the place within the County where such proposed ordinance may be inspected by the public, and shall also advise that interested parties may

appear at the meetings and be heard with respect to the proposed ordinance. The notices shall be mailed no later than 15 days prior to the date of the hearing before the Board. This requirement may be satisfied by combining the notice with the Local Planning Agency notice as set forth in Section 12-8(5)(i).

2. Publication and mailing of notices for Administrative Rezoning.

(i) The notice for the first Board hearing shall be published at least seven days prior to the hearing and the notice for the second Board hearing shall be published at least five days prior to the second hearing. The form of the notice shall be as prescribed by the Zoning Department. The notices of the public hearings shall state the intent of the Board to consider an Administrative Rezoning application and shall specify the time, date and place of the public hearings; the title or titles of the proposed ordinance; and the place or places within the County where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The notice shall contain a location map which indicates the area within the local government covered by the proposed ordinance and may be placed in any portion of the newspaper except where legal notices or classified advertisements appear.

(ii) Notice of the public hearing before the Board shall be mailed to all owners of real property subject to the Rezoning and to all owners of real property located within 350 feet of the property line of the real property sought to be rezoned, as determined by the Property Appraiser's records, and shall state the intent of the Board to consider a Rezoning application, shall specify the time, date and place of the public hearings, the place within the County where such proposed ordinance may be inspected by the public, and shall also advise that interested parties may appear at the meetings and be heard with respect to the proposed ordinance. The notices shall be mailed no later than 15 days prior to the date of the first hearing before the Board. This requirement may be satisfied by combining the notice with the Local Planning Agency notice as set forth in Section 12-8(5)(i).

(f) The ordinance enacting the proposed Rezoning shall become effective as provided by general law.

(7) **Amendment to the Code--Public Hearing and Notice Requirements for Amendments to the Code before the Local Planning Agency**

Ordinance enacting Amendments to the Code shall be subject to the following public hearing

and notice requirements before the Local Planning Agency:

- (a) The ordinance shall first be heard at a public hearing before the Local Planning Agency at least seven days after notice of the public hearing is published.
- (b) Prior to the close of the public hearing, the Applicant, as applicable, shall have the opportunity and the right to respond to testimony or other evidence presented during the public hearing. After the close of the public hearing, the Local Planning Agency may approve the proposed application, approve the proposed application with modifications, disapprove the proposed application, or continue the public hearings in its discretion to an announced time and date certain without the need for republication of notice, and shall make a report of same to the Board.
- (c) The report and recommendation of the Local Planning Agency shall be advisory only and shall not be binding upon the Board.
- (d) No proposed Amendment to the Code will proceed to public hearing before the Local Planning Agency until all publication fees for advertisements have been paid in full and proof of publication provided prior to each gearing. In the event the publication fee is not paid prior to the Local Planning Agency hearing, the matter shall be readvertised and rescheduled to the next available Local Planning Agency meeting.
- (e) The notice of public hearing before the Local Planning Agency for enacting an Amendment to the Code shall conform to the requirements of Florida law regarding legal and official advertisements. The advertisement shall appear in a newspaper that is published at least weekly.
- (f) The notice of public hearing shall state the intent of the Local Planning Agency to consider an Amendment to the Code and shall specify the time, date and place of the public hearing, the title or titles of the proposed ordinance; and the place or places within the County where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.
- (g) Notice of the public hearing before the Local Planning Agency shall be in the form required by the Zoning Department, and shall be published once, at the Applicant's expense. The notice shall be published at least seven days prior to the public hearing before the Local Planning Agency.

(8) Amendments to the Code--Public Hearing and Notice Requirements for Amendments to the Code before the Board of County Commissioners

In addition to the public hearing before the Local Planning Agency, the proposed Amendment to the Code will be subject to the following hearing requirements before the Board:

- (a) The Board shall hold one public hearing on the proposed Amendment to the Code (excluding an Amendment to the Code which changes the actual list of permitted, conditional, or prohibited uses within a zoning district). The hearing before the Board shall be held at least ten days after the notice of hearing is published. The hearing before the Board shall be held at a regularly scheduled meeting.
- (b) An Amendment to the Code which changes the actual list of permitted, conditional, or prohibited uses within a zoning district shall be heard at two public hearings held before the Board at its regularly scheduled meetings. One of the hearings before the Board shall be held after 5:00 p.m. The first hearing shall be held at least seven days after the day that the notice for the first public hearing is published. The second hearing shall be held at least ten days after the first hearing and at least five days after the day that the notice for the second public hearing is published.
- (c) No proposed Amendment to the Code will proceed to public hearing before the Board until all publication fees for advertisements have been paid in full and proof of publication provided prior to each hearing. In the event the advertising publication fee is not paid prior to the applicable public hearing, the matter shall be readvertised and rescheduled to the next available Board meeting.
- (d) Prior to the close of the public hearing or hearings, as applicable, the Applicant, as applicable, shall have the opportunity and the right to respond to testimony or other evidence presented during the public hearing. After the close of the final public hearing, the Board may approve the proposed application, approve the proposed application with modifications, disapprove the proposed application, or continue the public hearing in its discretion to an announced time, date and place certain without the need for republication of notice.
- (e) Publication for Amendments to the Code.
 - 1. The notice for the public hearing before the Board (excluding an Amendment to the Code which changes the actual list of permitted, conditional, or prohibited uses within a zoning district) shall state the intent of the Board to consider the proposed Amendment and shall specify the time, date and place of each public hearing; the title or titles of the proposed Amendment to the Code; and the place or places within the County where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The notice of the public hearing before the Board shall be in the form prescribed by the Planning Department, and shall be published once at least ten days prior to the

public hearing before the Board.

2. The notice for the first public hearing before the Board for an Amendment to the Code which changes the actual list of permitted, conditional, or prohibited uses within a zoning district shall be published at least ten days prior to the hearing and the notice for the second Board hearing shall be published at least five days prior to the second hearing. The form of the notice shall be as prescribed by the Planning Department. The notices of the public hearings shall state the intent of the Board to consider an Amendment to the Code, and shall specify the time, date and place of the public hearings; then title or titles of the proposed ordinance; and the place or places within the County where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The notice shall be no less than two columns wide by ten inches long, the headline of the notice shall be no less than 18 point type, and the notice may be placed in any portion of the newspaper except where legal notices or classified advertisements appear.

(g) The Ordinance enacting the proposed Amendment to the Code shall become effective as provided by general law.

(9) Sign Requirements for Rezonings

(a) All Rezonings with the exception of Map Error Administrative Rezonings shall require signs as follows:

1. One or more signs shall be posted on the property to be rezoned, not less than twenty-one (21) days in advance of the date of the public hearing held before the Local Planning Agency. The sign or signs shall be obtained from the Zoning Department at a cost of \$20.00 for each sign. Such sign or signs shall be erected in full view of the public at intervals of not more than every five hundred (500) feet along all streets on which the land which is the subject of the application has frontage, and shall be maintained by the Applicant, as applicable, until the conclusion of all public hearings including the public hearing held before the Board. The sign or signs to be posted on said land shall measure at least 28 inches in width and 22 inches in height and shall contain substantially the following language in day glow orange with four (4) inch black lettering:

REZONING
A PUBLIC HEARING CONCERNING REZONING THIS PROPERTY
TO _____ WILL BE HELD ON _____, AT _____
P.M. IN THE CLAY COUNTY ADMINISTRATION BUILDING.

2. After the public hearing before the Local Planning Agency, the Applicant, as applicable, shall change the date and time on the signs to the date and time of the public hearing to be held before the Board, using materials provided by the Zoning Department.

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3. In the event more than ten signs are required, which may cause undue hardship on the Applicant to post and maintain, the Applicant may seek permission of the Zoning Department to instead post large signs 4 feet by 8 feet minimum at the entrances to the applicable property and at conspicuous places on or adjacent to the applicable property. Large signs will be similar to color and wording as the smaller official zoning signs but may include a detailed map of the area to be rezoned and shall be constructed by the Applicant and approved by the Zoning Department prior to erection. Where such land does not have frontage on a public street, such signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land for which rezoning is sought. Said signs shall be maintained by the Applicant, as applicable, until the conclusion of all public hearings including any held before the Board. After the public hearing before the Local Planning Agency, the Applicant, as applicable, shall change the date and time on the signs to the date and time of any and all public hearings to be held before the Board.

- (b) Proposed Map Error Rezonings shall not require the posting of signs at or near the affected property.

(10) Limitation on the Rezoning of Property

- (a) Whenever the Board has denied an application for Rezoning, the Local Planning Agency and the Board shall not thereafter:
 1. Consider an application for the Rezoning of any part or all of the same property to the same zoning district for a period of twelve months from the date of such action.
 2. Consider an application for any other kind of Rezoning on any part or all of the same property for a period of six months from the date of such action.
- (b) The time limits of this subsection may be waived by three affirmative votes of the Board when such action is deemed necessary to prevent injustice or to facilitate the proper development of the County..

Sec. 12-10. VARIANCE

This section is intended to identify procedures and criteria for consideration of approval for a variance. The procedures established herein are intended to assure careful examination and findings of fact by the Board of Adjustment during the review of a variance request.

- (1) **Initiation** – A request for a variance to any provision within this code may be proposed by any person, the Board, the Planning Commission, or any other department or agency of the county.
- (2) **Submission** – All proposals for a variance to this code shall be submitted in writing to the zoning department accompanied by a site plan, any additional information as requested by the zoning

department and all applicable fees. The Board of Adjustment shall consider only those applications for variances, which have been properly completed, filed by the deadlines specified in this article and for which all applicable fees have been paid.

(3) **Criteria for Review** – The Board of Adjustment may authorize a variance from the terms of this Code when such variance will not be contrary to the public interest of this Code. The Board of Adjustment must first determine whether the need for the variance arises out of the physical surroundings, shape, topographic condition or other physical or environmental conditions that are limited to the specific property involved. The Board of Adjustment shall not grant a variance unless it makes a positive finding, based upon substantial competent evidence on the following criteria:

- (a) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same situation.
- (b) The special conditions and circumstances do not result from the actions of the applicant.
- (c) The granting of the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same situation.
- (d) The literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same situation under the terms of this Code and would cause unnecessary and undue hardship on the applicant.
- (e) The variance granted is the minimum variance possible that will make beneficial use of the land, building or structure.
- (f) The granting of the variance will be in harmony with the general intent of this Code and that such variance shall be injurious to the area involved or otherwise detrimental to the public welfare.

(4) **Granting of Variance**

- (a) In granting a variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformance with this code. A violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this code.
- (b) The Board of Adjustment may prescribe a reasonable time limit within the action for which the variance is granted has begun, is completed, or both.
- (c) Under no circumstances except as permitted above, shall the Board of Adjustment grant a variance to permit a use not generally or by special exception permitted in the zoning district involved, or any use expressly or by implication prohibited by the terms of this code. A nonconforming use of neighboring lands, structures, or buildings in the same zoning district and permitted use of lands, structures, or buildings in other similar situations shall not be considered grounds for issuance of a variance.

(5) **Public Hearing Requirements** – A public hearing before the Board of Adjustment shall be held at least seven days after the public hearing notice is published in accordance with the procedures established in this article. The hearing before the Board of Adjustment shall be heard at the next

available meeting after submission of a complete application to the zoning department, unless otherwise requested by the applicant.

(6) **Public Notice Requirements** – Notice of a public hearing before the Board of Adjustment shall be placed in a form required by Florida Law, and shall adhere to the following requirements. No request for amendment shall be considered until such time as all public notice fees have been paid in full and proof of publication has occurred. In the event the publication fee is not paid prior to the applicable public hearing, the matter shall be readvertised and rescheduled to the next available Board of Adjustment meeting at the applicant’s expense.

(a) **Newspaper Notification** –All notices of a public hearing for a variance shall conform to the requirements of Florida law regarding legal and official advertisements. The notice shall be published at least seven days prior to the public hearing in a newspaper that is published at least weekly. The notice of the public hearing shall state the intent of the Board of Adjustment to consider a variance application and shall specify the time, date and place of the public hearing; and the place or places within the County where the variance request may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed variance. The notice shall be no less than two columns wide by ten inches long and the headline of the notice shall be not less than eighteen-point type. The notice may be placed in any portion of the newspaper except where legal notices or classified advertisements appear.

(b) **Signage** – The applicant, at his cost, shall post signs on the property in which the variance is requested with said sign(s) being posted not less than twenty-one days in advance of the date of the public hearing by the Board of Adjustment. All required signage shall adhere to the requirements in this section for signage. Said sign, or signs shall be maintained by the applicant and be legible until final determination has been made by the Board of Adjustment.

(7) **Review Process** – All requests for a variance shall adhere to the following review process.

(a) **County Staff** – For all requests for a variance to a provision within this code, the staff shall prepare and furnish to the Board of Adjustment a report, which addresses the need for the variance and how the variance adheres to the requirements established in this article. All requests for variances shall initially be determined by the county to be consistent with this code.

(b) **Board of Adjustment** – After review by the staff and proper public notification in accordance with the requirements established in this section, the Board of Adjustment shall conduct a public hearing on the requested variance in accordance with the procedures established in this article for a quasi-judicial hearing. After the close of the public hearing, the Board of Adjustment shall act upon the variance in one of the following manners:

1. Approve the variance;
2. Approve the variance with modifications; or,

3. Disapprove the variance.

- (8) **Limitations on Variance Request** – Any matter considered by the Board of Adjustment shall not be reheard within twelve months after the date of the decision on the matter unless the zoning director determines that there has been a substantial change in the facts from those in the original application. A new application and filing fee shall be required each time a matter is considered by the Board of Adjustment.

Sec. 12-11. AMENDMENTS TO THE COMPREHENSIVE PLAN

Amendments to the Comprehensive Plan shall be in accordance with the procedures outlined in this section. Corrections, updates, or modifications of current costs, which are set out as a part of the Comprehensive Plan shall not be deemed as amendments.

(1) **Definitions.** As used in this section the following terms shall have the meanings attributed thereto unless the context clearly indicates a different meaning:

- (a) **Administrative Head of the LPA.** The administrative head of the LPA shall, as referred to in this document, mean the Director of the Planning and Zoning Division.
- (b) **Amendments.** Any change in the map or text of the Plan adopted in accordance with the procedures outlined in this manual and in accordance with procedures outlined in Sections 163.3184 and 163.3187, Florida Statutes. Corrections, updates or modifications of current costs which are set out as part of the Plan shall not be deemed to be amendments.
- (c) **Board.** As referenced herein the Board shall mean the Board of County Commissioners of Clay County.
- (d) **Capital Improvement.** The physical assets constructed or purchased to provide, improve, or replace a public facility and which are typically large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multiyear financing. For the purpose of this section, physical assets that have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements (163.3164(7) F.S.).
- (e) **Citizen Advisory Committees (CAC).** Committees comprised of interested citizens which review and comment on comprehensive plan amendments and rezoning applications within their respective planning district. There are seven committees; one for each planning district.
- (f) **Clay County Comprehensive Plan or Plan.** The Comprehensive Plan entitled Clay County 2025 Comprehensive Plan developed to meet the requirements of the Growth Management Act of 1985, as amended, Chapter 163, Florida Statutes. The Plan was originally adopted by the Board of County Commissioners on January 23, 1992, by Ordinance No. 92-03.

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- (g) Community. An area which is clearly recognizable as having an existing, homogeneous and distinct character distinguishable from adjacent land outside its boundary.
 - (h) Development of Regional Impact (DRI). A development which, because of its scope and size, impacts more than one County and which is required to meet State as well Local Government approvals prior to issuance of any development permits.
 - (i) Downtown Revitalization. The physical and economic renewal of a central business district of a community as designated by local government, and includes both downtown development and redevelopment (163.3164(17), F.S.).
 - (j) Florida Quality Development (FQD). A development which, because of its scope and size, impacts more than one County and which is required to meet State approval prior to issuance of any development permits. Criteria for approval is more stringent than a DRI review.
 - (k) In Compliance. Consistent with the requirements of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245, and 163.3248, F.S., with the appropriate strategic regional policy plan, with the principles for guiding development in designated areas of critical state concern, and with part III of ch. 369, F.S., where applicable (163.3184(1)(b), F.S.).
 - (l) Intensity. An objective measurement of the extent to which land may be developed or used, including the consumption or use of the space above, on, or below ground; the measurement of the use of or demand on natural resources; and the measurement of the use of or demand on facilities and services (163.3164(22), F.S.).
 - (m) Internal Trip Capture. Trips generated by a mixed-use project that travel from one on-site land use to another on-site land use without using the external road network (163.3164(23), F.S.).
 - (n) Land. The earth, water, and air, above, below, or on the surface, and includes any improvements or structures customarily regarded as land (163.3164(24), F.S.).
 - (o) Level of Service. An indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility (163.3164(28), F.S.).
 - (p) Local Planning Agency. The Local Planning Agency (LPA), otherwise referred to as Land Development Regulation Commission (163.3164(25) F.S.), shall, as referred to in this document, mean the Clay County Planning Commission. The role of the LPA in the process described in this document shall be as specified in 163.3174, F.S., which defines the term “Local Planning Agency;” and as otherwise specified in part II of Chapter 163, F.S. Generally, the role of the LPA in the plan amendment process shall include, but not be limited to the coordination and administration of the process on behalf of the governing body, to serve as the lead agency for evaluating and formulating a

recommendation on all proposed amendments, and to initiate certain amendments to the comprehensive plan as provided for by law.

- (q) Local Planning Agency (LPA) Staff. The LPA Staff shall, as referred to in this document, mean the Director of the Planning and Zoning Division and all staff of the division.
- (r) Northeast Florida Regional Council (NEFRC). The regional agency created pursuant to Chapter 186, F.S., responsible for planning in a seven county region of Northeast Florida.
- (s) Notice of Intent (NOI). The official notification from State Land Planning Agency determining if the amendments to the Comprehensive Plan are in compliance with the Local Government Comprehensive Planning Act.
- (t) Objective. A specific, measurable, intermediate end that is achievable and marks progress toward a goal.
- (u) Objections, Recommendations and Comments (ORC) Report. The official review report from State Land Planning Agency of amendments to the Comprehensive Plan. All objections must be addressed and meet with State Land Planning Agency's approval prior to the amendments being found "In Compliance."
- (v) Public Facilities. Major capital improvements, including transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational facilities (163.3164(38) F.S.).
- (w) Reviewing Agencies. The state land planning agency; the appropriate regional planning council; the appropriate water management district; the Department of Environmental Protection; the Department of State; the Department of Transportation; in the case of plan amendments relating to public schools, the Department of Education; in the case of plans or plan amendments that affect a military installation, the commanding officer of the affected military installation; and in the case of county plans and plan amendments, the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services.
- (x) Sector Plan. The process authorized by s. 163.3245, F.S., in which one or more local governments engage in long-term planning for a large area and address regional issues through adoption of detailed specific area plans within the planning area as a means of fostering innovative planning and development stratifies, furthering the purposes of s. 163.3164, F.S., and part I of Chapter 380, F.S., reducing overlapping data and analysis requirements, protecting regionally significant resources and facilities, and addressing extrajurisdictional impacts (163.3164(42), F.S.).
- (y) Strategic Regional Policy Plan (SRPP). Developed by each Regional Planning Council, this plan is a long range guide for physical, economic and social development of a comprehensive planning district which identifies regional goals and policies.

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- (z) Urban Service Area. Areas identified in the comprehensive plan where public facilities and services, including, but not limited to, central water and sewer capacity and roads, are already in place or are identified in the capital improvements element (163.3164(50), F.S.).

(2) The Plan Amendment Review Process.

- (a) Pre-application Conference. Pre-application conferences with the LPA staff are required for potential applicants to obtain information concerning the proper land use plan classifications and to avoid unnecessary petitioning for plan amendments.

(b) The Plan Amendment Process.

1. Expedited State Review Process (standard review process): All amendments except as provided in paragraph (2)(b)2 and (2)(b)3. This process requires minimum one (1) LPA public hearing and two (2) public hearings (a transmittal hearing and an adoption hearing before the Board of County Commissioners).
2. State Coordinated Review Process: Plan amendments that are in an area of critical state concern (380.05, F.S.); a rural land stewardship area (163.3248, F.S.); a sector plan (163.3245, F.S.); or a comprehensive plan based on an evaluation and appraisal (163.3191, F.S.). This process requires minimum one (1) LPA public hearing and two (2) public hearings (a transmittal hearing and an adoption hearing before the Board of County Commissioners).
3. Small Scale Amendment Process: Plan amendments that qualify as small-scale development amendments. This process requires minimum one (1) LPA Public hearing and one (1) public hearing (an adoption hearing before Board of County Commissioners). A small scale amendment may be adopted under the following conditions:
 - a. The proposed amendment involves a use of 50 acres or fewer;
 - b. If the proposed amendment site is located within a rural area of opportunity as defined under Florida Statute 288.0656(2)(d) for the duration of such designation, the acreage limit is raised to a maximum of 100 acres; and
 - c. The proposed amendment does not involve a text change to the goals, objectives, and policies of the Plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use amendment shall be permissible.

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- (c) Application Submittal. Once a plan amendment proposal has been prepared, a completed application package including the applicable fees is required to be submitted. The applicant may also choose to concurrently submit an application for a re-zoning.
1. Plan Amendment Fees. The schedule of reasonable application and review fees to defray the costs associated with the processing of plan amendments is provided in Section 12-10(6). These fees cover staff time required for research, preparation, and/or other costs associated with processing of the plan amendment.
 2. Comprehensive Plan Amendment Form. An appropriate comprehensive plan amendment form shall be completed and be submitted with required attachments.
- (d) Sufficiency Review. One original paper copy of an application and one electronic copy of an application, both with all requisite attachments, are required at the time of submittal. An application will be deemed either “sufficient” or “insufficient” for processing within 3 business days after receipt. This is to ensure inclusion of all required information. If an application is determined to be insufficient, an applicant will be requested to provide missing information within 1 week from the receipt of county planning staff’s notification.
- (e) Withdrawal of Petition. The requesting party (or authorized agent) may withdraw a request for a plan amendment at any time by filing a written notice thereof to the Administrative Head of the LPA staff. If the withdrawal of a proposed amendment occurs at any time after the Board has submitted said amendment to the State Land Planning Agency for review, the Board shall provide notice of the withdrawal to the State Land Planning Agency.
- (f) LPA Staff Review. The LPA staff will study the proposed amendment area(s) for compliance and consistency with the Data and Analysis, and Goals, Objectives and Policies of the Plan, regulations implementing the Plan, and with professional planning principles and standards and will make recommendations to the LPA for approval, approval with amendment(s), or disapproval of the proposed amendment at the LPA public hearing required in Section 12-10(2)(h) below.
- (g) Citizen Advisory Committees (CAC) Meetings. The LPA staff may meet with the appropriate CAC as part of the review of the proposed amendment. The CAC meeting will be advertised and open to the public. Additional meetings may be scheduled, if necessary.
- (h) LPA Public Hearing. At the LPA’s public hearing conducted pursuant to s. 163.3174(4)(a), Florida Statutes, the LPA shall consider the public’s input concerning the proposed amendment(s) and take action to concur with, amend or reverse the LPA staff’s recommendation and state their reasons for concurrence with, amendment of, or reversal of staff’s recommendation by simple majority. At this public hearing, the LPA staff shall present its findings and recommendations on its study of the plan amendment requests to the LPA. The LPA shall publish notice of the date, time, place, purpose of the public hearing, and the place or places within the County where the proposed plan

amendment may be inspected by the public. The advertisement shall also advise that interested parties may appear at the meeting and be heard regarding the amendments to be considered for transmittal. The advertisement shall be published once in a newspaper meeting the requirements of Florida law regarding legal and official advertisements in the area not less than ten (10) days prior to the date of the hearing. The advertisement shall appear in a newspaper that is published at least weekly. To enhance public awareness and participation at the LPA public hearing, when plan amendments involving land use changes are to be considered, a sign or signs shall be posted on the property for which the proposed amendment is sought informing the public of the substance of the proposed action, indicating the date, time and place of the LPA public hearing and informing the public where additional information may be obtained. Said posting shall be accomplished at least twenty-one (21) calendar days prior to the LPA public hearing. The use of factual information by the requesting party at the LPA public hearing, which is beyond the scope of either that submitted to the LPA staff at time of application, or received and accepted by the LPA staff subsequent to submittal of the plan amendment request, shall constitute grounds for continuation of the public hearing until such time as the LPA staff can analyze such information. Any continuance for this reason may result in delay of the amendment process. Copies of all documents and correspondence relative to the LPA's processing of, or recommendations regarding, a plan amendment shall be maintained in the offices of the LPA staff and made available for public review.

- (i) Board Transmittal Hearing (Not applicable to Small Scale Amendments). The Board shall, at a regularly scheduled meeting following the LPA public hearing hold the first public hearing which shall be the transmittal hearing on the proposed plan amendment. The procedures for the transmittal hearing shall be the same as for the LPA public hearing [Section 12-10(5)(h)]. The first public hearing shall be held on a weekday at least seven (7) days after the day that the advertisement is published. The intention to hold and advertise a second public hearing at the adoption phase [Section 12-10(2)(1)] shall be announced at the first public hearing. The procedure for transmittal of a plan amendment shall require an affirmative vote of not less than a majority of the Board. Notice requirements for the first public hearing shall be as outlined in Section 12-10(3). The Board shall, within ten (10) days from the transmittal hearing, transmit the complete proposed plan amendment with appropriate supporting data and analysis to reviewing agencies and to any other unit of local government (agency), which has filed a written request with the Board, for written comment.
- (j) Agency Review. Within five (5) days of receipt of any comments including the Objections, Recommendations and Comments (ORC) Report from the State Land Planning Agency, the Chairman of the Board shall forward a copy to the Administrative Head of the LPA who shall provide the LPA with a copy of the report. Any comments or the ORC Report to the proposed plan amendment which are submitted by the reviewing agencies are public documents, a part of the permanent records in the matter, and admissible in any proceeding in which the Plan may be at issue.
- (k) Optional LPA/Board Workshop. Following the receipt of Reviewing Agency comments or the ORC Report, the Board may schedule a joint LPA/Board workshop concerning the proposed plan amendment(s). This meeting may be requested by LPA, Board, and/or

the head of LPA staff, and shall be held prior to the Board adoption hearing. The ORC Report issued by the State Land Planning Agency that relates to the requesting party's amendment shall be responded to by the LPA staff. Staff shall notify the requesting party of the objection within three (3) working days of receipt of the ORC Report. The requesting party shall indicate whether the amendment will be withdrawn within five (5) working days of receipt of the notice of objection. If the amendment is not withdrawn, the requesting party shall formulate a response for presentation at the joint LPA/Board workshop outlined in this Section. The requesting party shall submit the proposed response to the LPA staff for review and recommendation at the workshop at least five (5) working days prior to the scheduled workshop. In case that a joint LPA/Board Workshop is not requested, after the LPA staff notifies the requesting party of the objection within three (3) working days of receipt of the ORC Report, the requesting party shall have maximum thirty (30) days to formulate a response and submit it to the LPA staff for review.

- (1) Board Adoption Hearing. The Board shall hold its second public hearing, which shall be a hearing on whether to adopt, adopt with changes, or determine not to adopt one or more comprehensive plan amendments. The second public hearing shall be held on a weekday at least five (5) days after the day that the advertisement is published. If the second hearing is not held within 180 days after receipt of agency comments or the ORC Report, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180-day limitation does not apply to amendments processed pursuant to 380.06, F.S. For Small Scale Amendments, the Board may advertise a public hearing to adopt the amendment immediately after the LPA Public Hearing.

- (3) Legal Advertisement and Notice for Public Hearings.
 - (a) Format of Legal Advertisement for Public Hearings (Board Transmittal and Adoption Hearings). Except as provided below, the advertisement shall state the date, time, place of the meeting, the title or titles of the proposed plan amendments, the subject of the meeting, and the place or places within the County where the proposed plan amendment may be inspected by the public. The advertisement shall also advise that interested parties may appear at the meeting and be heard regarding the transmittal or adoption of the plan amendment. If the proposed plan amendment changes the permitted, conditional, or prohibited uses within a future land use category or changes the actual future land use map designation of a parcel or parcels of land, the required advertisements shall be no less than 2 columns by 10 inches in a standard size or tabloid newspaper and the headline in the advertisement shall be in a type no smaller than eighteen (18) point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be published in a newspaper meeting the requirements of Florida law regarding legal and official advertisements. The advertisement shall appear in a newspaper that is published at least weekly. The advertisement shall be in the following form:

NOTICE OF CHANGE OF LAND USE

The Board of County Commissioners of Clay County, Florida, proposes to change the use of land within the area shown in the map in this advertisement.

A public hearing on the proposal will be held on
(date and time) at (meeting place)

The advertisement shall also contain a geographic location map which clearly indicates the area covered by the proposal. The map shall include major street names as a means of identification of the area.

(b) Notice to Affected Property Owners. In addition to the notice requirements established in Section 12-10(3)(a) above, the following requirements shall apply:

1. For all Future Land Use Map (FLUM) Amendment applications, whether an Administrative FLUM Amendment initiated by the Board or a FLUM Amendment initiated by an Applicant, notice of the public hearings before the Local Planning Agency and the Board shall be mailed to all owners of real property subject to the FLUM Amendment and to all owners of real property located within 350 feet of the property line of the real property subject to the FLUM Amendment, as determined by the Property Appraiser's records, and shall state the intent of the Local Planning Agency and the Board to consider a FLUM Amendment application, shall specify the time, date and place of the public hearings, the place within the County where such proposed ordinance may be inspected by the public, and shall also advise that interested parties may appear at the meetings and be heard with respect to the proposed ordinance. One notice containing the dates, times and place of all hearings before the Local Planning Agency and the Board as well as all other required information may be utilized and shall be mailed no later than 15 days prior to the date of the hearing before the Local Planning Agency.
2. To enhance public awareness and participation in both of the Board public hearings, when plan amendments involving land use changes are to be considered, a sign or signs shall be posted on the property for which the proposed amendment is sought informing the public of the substance of the proposed action, indicating the date, time and place of the Board public hearing and informing the public where additional information may be obtained. Said posting shall be accomplished at least twenty-one (21) calendar days prior to each of the Board public hearings.
3. Prior to official action by the Board to amend the Plan, notice of the proposed change shall be mailed to the applicable CAC Chairpersons and Vice Chairpersons and other community groups that have registered an interest with the LPA staff. The mailing shall include the date, time and place of the public hearings; a brief description of the purpose of the public hearing and the name, phone number and address of the individual who can best discuss the items to be considered. Written comments shall be encouraged and response forms provided. The mailing list shall include civic groups, business organizations, realtor and builder organizations as well as interested persons requesting inclusion.

(4) **Transmittal of Adopted Copy to Review Agencies.**

All adopted amendments, along with the supporting data and analysis, shall be transmitted within 10 days after the adoption hearing to the state land planning agency and any other agency or local government that provided timely comments. Transmittal of adopted small scale amendments to the state land planning agency and the regional planning council is recommended for record keeping purposes only.

(5) **Response to Notice of Intent.** The Board shall respond to the State Planning Agency's Notice of Intent as prescribed in Chapter 163.3184, F.S.

(6) **Fee Schedule for Comprehensive Plan Amendments.**

(a) **Filing Fees for Application to Amend the Plan.**

1. Fees shall be as provided in the Clay County Development Services Fee Schedule approved by BCC resolution as it may be amended from time to time.
2. Fees shall be due in full upon application for plan amendments. All fees assessed under the authority of this ordinance shall be collected by the Planning and Zoning Division for deposit in the Clay County Board of County Commissioners (CCBOCC).
3. Fees collected for plan amendment applications shall be non-refundable upon receipt unless approved pursuant to the BCC resolution on Clay County Development Services Fee Schedule.
4. In addition to the foregoing fees, all hearing and notice publications costs shall be paid by the requesting party. Notice and publication costs will be billed directly to the requesting party by the newspaper and must be paid prior to the applicable public hearing. If the advertisement includes any administrative amendment(s) being undertaken by the County as well as the changes proposed by the requesting party, the publication costs will be borne by the County. If the cost of such advertisement is greater than that necessitated by the administrative amendment(s) alone, the cost shall be paid by the requesting party, or if the advertisement includes two or more privately initiated plan amendments, the publication costs will be divided proportionally between the requesting parties.

- (b) **Additional Review Fees.** The County may retain or employ consultant who are knowledgeable in transportation and environmental analyses to assist the County in the review of the amendment application and in making recommendations to the Board on the proposed amendment prior to transmittal. The requesting party shall pay the reasonable cost for such consulting services. To secure payment, the applicant shall deposit with the County in the form of cash or surety bond an amount equal to the estimated cost for such consulting services. In the event the amount deposited is insufficient to cover the cost of consulting services, the requesting party shall be notified and shall within ten (10) working days of written notification from the County, deposit

additional funds estimated to be sufficient to cover the consulting fees to be incurred. Failure to deposit the funds indicated within ten (10) working days shall cause the suspension of staff review. In all cases, any outstanding balance shall be paid in full prior to any action by the Board. Funds deposited in excess of the final cost of consulting services shall be refunded to the requesting party within ten (10) days of the Board transmittal hearing. If applicable, the staff response to the reviewing agency's comments that relate to a requesting party's amendment shall be subject to the fee for consulting services outlined above.

- (c) Sign Cost. If signs are required to be posted, payment shall be due upon receipt of the signs. The cost shall be as provided in the Planning and Zoning Division. The requesting party shall be responsible for posting and maintaining signs at the location(s) identified by the Planning and Zoning Division.
- (d) Hardship Exemption. The Board of County Commissioners may reduce or eliminate all or a portion of the fees identified above for hardship. Prior to the submittal to the LPA staff of an application to amend the Plan for which the requesting party is seeking a hardship exemption, the requesting party shall apply for the exemption with the LPA staff. The exemption application must be received thirty (30) days prior to the LPA public hearings identified in Section 12-10(2)(h). The LPA staff shall schedule a public hearing for the request of hardship exemption at a time certain before the Board within thirty (30) days of receipt of the request. The requesting party shall appear and present the request. All fees not waived shall be due as for all like applications to amend the Plan.

Sec. 12-12. APPEALS FROM ADMINISTRATIVE DECISIONS

An appeal from an administrative decision and/or order shall be based on separate written reports prepared by each party or their agents, in the appeal. The reports shall succinctly describe each party's position regarding the issue before the Board. Each party's report shall be mailed to the Board of Adjustment and the party requesting the appeal at least ten days prior to the meeting at which the appeal will be discussed. Each party to the appeal will be afforded ample opportunity to debate their position in the appeal. The Chairman may, at his discretion, limit or eliminate discussion from persons other than the parties to the appeal and members of the Board of Adjustment.

- (1) **Review of Administrative Orders** – In exercising its power of Review of Administrative Orders, the Board of Adjustment may, upon appeal and in conformity with the provisions of this article, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination made by an administrative official in the enforcement of any regulation within this code. An affirmative vote of four of the members of the Board shall be necessary to reverse any order, requirement, decision, or determination of an administrative official or to decide in favor of an applicant on a matter upon which the Board has the authority to act.
- (2) **Appeals from decision of Administrative Official** – An appeal to the Board of Adjustment may be taken by any aggrieved person, Board, or any other department or agency of the county affected by any decision of an administrative official under any land development regulation enacted pursuant to this act. Such appeal shall be taken within thirty days after rendition of the

order, requirement, decision or determination by filing with the zoning director a notice of appeal specifying the grounds for the appeal. Upon notification of the filing of the appeal, the county shall transmit to the Board of Adjustment all the documents, plans, papers, or other materials constituting the records upon which the appeal has been requested.

- (3) **Stay of Work** – An appeal to the Board of Adjustment stays all work on the premises and all proceedings to the action appealed from, unless the county staff shall certify to the Board of Adjustment that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order, which may be granted by the Board of Adjustment, but only after show of good cause.
- (4) **Judicial Review** – Any person(s) jointly or severally, aggrieved by any decision of the Board of Adjustment, or any officer, department, Board, commission, or governing body, may apply to the circuit court in the judicial circuit where the Board of Adjustment is located for judicial relief within thirty days of the decision by the Board of Adjustment. Review in the Circuit Court shall be either by a trial de novo, which shall be governed by the Florida Rules of Civil Procedure, or by petition for writ of certiorari, which shall be governed by the Florida Appellate Rules. The election of remedies shall lie with the appellant.
- (5) **Interpretations** – The Board of Adjustment is authorized to interpret the Zoning Atlas and to pass upon disputed questions of lot lines or district boundary lines and similar questions. An application for a map interpretation shall be submitted to the Board of Adjustment by filing a copy of the application with the zoning director. The application shall contain sufficient information to enable the Board of Adjustment to make the necessary interpretation. Where uncertainty exists as to the boundaries of districts as shown on the Zoning Atlas, the following rules shall apply:
- (a) Boundaries indicated as approximately following the centerlines of alleys, streets, highways, streams, or railroads shall be construed to follow such centerlines;
 - (b) Boundaries indicated as approximately following lot lines, city limits or extraterritorial boundary lines shall be construed as following such lines, limits, or boundaries;
 - (c) Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as following such shorelines; and
 - (d) Where a district boundary divides a lot or where distances are not specifically indicated on the Zoning Atlas, the boundary shall be determined by measurement, using the scale of the Zoning Atlas.
 - (e) Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley by virtue of such vacation or abandonment.

Sec. 12-13. SIGNAGE REQUIREMENTS

The posting of signs, when required in this code, shall be in accordance with the following provisions:

- (1) **Location** – All signs shall be erected in full view of the public on each street side of the land not more than five hundred feet apart.

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- (2) **Maintenance** – All signs shall be maintained by the applicant until the conclusion of all public hearings. After a public hearing before the Planning Commission, the applicant shall be responsible for changing the date and time on the signs to reflect the date and time of the public hearing before the Board.
 - (3) **Size** – The sign(s) to be posted shall measure at least twenty-eight inches in width and twenty-two inches in height.
 - (4) **Content** – All signs shall contain, substantially, the following language with the title in four inch black lettering and the remaining text in minimum one inch black lettering, and stating “REZONING”, “NOTICE OF PUBLIC HEARING”, “LAND USE CHANGE” OR “VARIANCE”, as applicable:

[INSERT APPLICABLE TITLE]
**A PUBLIC HEARING CONCERNING [INSERT IF APPLICABLE
 “THE REZONING OF”, “A LAND USE CHANGE FOR” OR “A
 VARIANCE FOR” THIS PROPERTY [IF A REZONING OR LAND
 USE CHANGE, INSERT “TO _____”, AND FILL IN
 THE BLANK WITH THE APPLICABLE DESIGNATION] WILL
 BE HELD _____, AT _____ P.M. IN THE BOARD OF
 COUNTY COMMISSIONERS MEETING ROOM, CLAY
 COUNTY ADMINISTRATION BUILDING.**

- (5) **Large Parcels** – In the event that eleven or more signs are required, thereby causing an undue hardship on the applicant, the applicant may seek to post large signs in accordance with the following requirements.
 - (a) **Process** – Approval to install large signs on large parcels shall be gained from the Zoning Department at least ten (10) days prior to the deadline for posting the signs.
 - (b) **Location** – Large parcel signs shall be placed at strategic locations or major entrances to the property in question. Location of these larger signs will be specified by the Zoning Department at the time permission is granted. Where such land does not have frontage on a public street, such signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land for which rezoning is sought.
 - (c) **Content** – Large signs will be similar to color and wording as the smaller official zoning signs but may include a detailed map of the area to be zoned.
 - (d) **Size** – Large-scale signs shall have a minimum size of four feet by eight feet.
 - (e) **Maintenance** – Large-scale signs shall be maintained by the applicant and be legible until final determination has been made by the Board.

Sec. 12-14. HEARINGS

Under the law of Florida, a hearing on a land use matter may be legislative or quasi-judicial. Although Florida law often provides specific direction as to whether specific types of hearings are quasi-judicial or legislative, as a general guideline, if the hearing is for the purpose of establishing land use policy that

will have general applicability, the hearing is legislative and must be conducted in accord with procedures applicable to such hearings. Alternatively, if the purpose of the hearing is to apply general standards of this code to a development proposal, then the hearing is quasi-judicial and must be conducted in accordance with procedures applicable to such hearings. Set forth below are procedures for each type of hearing when such a hearing is to be held by either the Planning Commission, the Board, the Board of Adjustment or the Historic Preservation Board. The Chairman may vary these procedures in his or her discretion by reorganizing, rearranging or merging the sequence and order of the steps described so long as the result remains consistent with fundamental due process and the substantive rights of an affected person are not materially denied or subverted thereby. No variation of the procedures whereby the result remains consistent with fundamental due process and whereby the substantive rights of an affected person are not materially denied or subverted thereby shall be construed as a failure to follow the law or as a departure from the essential requirements of the law.

(1) Legislative Hearings

- (a) Notice – A notice that complies with the requirements of Chapter 163, Chapter 125, or other applicable provisions of the Florida Statutes, shall be given.
- (b) Conduct of Hearing
 - 1. The matter shall be introduced by a representative of the staff who shall then present the analysis of the proposed action, any recommendation by the staff, and any reports or recommendations received from other agencies.
 - 2. Interested parties shall be allowed to submit written recommendations and comments before or during the hearing, and shall be given a reasonable opportunity to make oral statements in favor of, or in opposition to, the proposal.

(2) Quasi-Judicial Hearings

- (a) Participants – For purposes of this section, the participants shall mean the county manager or designee, the applicant, the representatives of bona fide groups organized in support of or opposition to the application, and the county attorney or designee. Any other person may be granted permission by the Chairman to be a participant, but only for good cause and upon request made at the commencement of the proceeding. Good cause requires a showing of a substantial interest in the subject of the application and a material risk of suffering some special damage or injury not common to all persons similarly situated as a consequence of a decision on the application. Any person to whom such permission has been granted shall be classified as a specially affected party. Each participant in a quasi-judicial proceeding shall have the right to:
 - 1. Present the participant’s decision by oral and documentary evidence. This shall not include a right to compel testimony or production of non-public or confidential documents;
 - 2. Submit rebuttal evidence, and conduct such cross-examination as may be required for a full and true disclosure of the facts;

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3. Submit proposed findings, conclusions, and supporting reasons therefor;
 4. Make offers of compromise or proposals of adjustments. This shall not empower the county to accept any compromise or proposal not otherwise authorized by law;
 5. Be accompanied, represented and advised by counsel or appear in proper person. This shall not be interpreted to require the county to provide counsel to any participant; and
 6. Be promptly notified of any action taken on the matter.
- (c) Order of Hearing – Quasi-judicial hearings shall proceed as follows:
1. Presentation of the County’s position by the county manager or designee;
 2. Opening statements by the applicant, the group representatives and any specially affected parties;
 3. Presentation of evidence by the applicant followed by cross-examination of the applicant’s witnesses by the participants;
 4. Presentation of evidence by the group representatives and any specially affected parties followed by cross examination of their witnesses by the participants;
 5. Public comments on the application;
 6. Rebuttal by the county manager or designee, group representatives and any specially affected parties;
 7. Rebuttal by the applicant;
 8. Closing statements by the group representatives and any specially affected parties;
 9. Closing statement by the applicant; and
 10. Closing comments of the county manager or designee and the county attorney.
- (d) Evidence – Evidence may be submitted that would be admissible in civil proceedings of this State, but in receiving evidence due regard shall be given to the technical and highly complicated subject matter which must be handled. The exclusionary rules of evidence shall not be used to prevent the receipt of evidence having substantial probative effect, provided however, participants must be given an opportunity to cross-examine witnesses. Otherwise, however, effect shall be given to rules of evidence recognized by the law of Florida.
- (e) Discussion – Following the public portion of the hearing, the Planning Commission, the Board, Board of Adjustment and Historic Preservation Board may debate and take action in accordance with their standard procedures. Witnesses may be called or recalled to answer questions. If rebuttal of such testimony is requested, it shall be allowed but may be strictly limited.
- (f) Record – A record of all matters considered at a quasi-judicial hearing shall be created by the county. A verbatim transcript of the record is not required but the county shall establish such record in a sufficient degree to disclose the factual basis for its final determination with respect to such requests and appeals.

Sec. 12-15. ENFORCEMENT

Enforcement of this code shall be in accordance with the provisions established by the Board concerning the creation, duties and powers of the Code Enforcement Special Magistrate and specific provisions that have been identified in each article.

Sec. 12-16. PERMIT REVOCATION

A development permit may be revoked by the county if the permit recipient fails to develop or maintain the property in accordance with the approved plans, the requirements of this chapter, or any additional requirements lawfully imposed by the county. The burden of presenting evidence sufficient to authorize the county to conclude that a permit shall be revoked for any of the reasons set forth in this article shall be upon the party advocating that position.

- (1) **Notice** – The notice shall inform the permit recipient of the alleged grounds for the revocation and shall include, insofar as practical, a statement of the specific reasons or findings of fact that support the motion.
- (2) **Time Limits** – Before a zoning or sign permit may be revoked, the administrator shall give the permit recipient ten days notice of intent to revoke the permit and shall inform the recipient of the alleged reasons for the revocation and of his right to obtain an informal hearing on the allegations. If the permit is revoked, the administrator shall provide to the permitted a written statement of the decision and the reasons.
- (3) **Use of Land or Buildings Prohibited** – No person may continue to make use of land or buildings in the manner authorized by any development permit after such permit has been revoked in accordance with this section.

Sec. 12-17. JUDICIAL REVIEW

- (1) **Circuit Court** – Every decision of the county granting or denying a development permit and every final decision of the Board of Adjustment shall be subject to judicial as provided by law.

Sec. 12-18. LEGAL STATUS OF THIS ARTICLE

To the extent of any conflict with the other regulations of the county, and except as herein specifically provided, this article supersedes any other regulations with respect to the subject matter hereof.



Agenda Item
HISTORIC PRESERVATION BOARD

Clay County Administration Building
Thursday, April 3 5:30 PM

TO: Historic Preservation
Board

DATE: 3/27/2025

FROM: Beth Carson,
Director, Planning and Zoning

SUBJECT: Discussion of street signage and alternatives to State Markers.

AGENDA ITEM TYPE:
