

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2040 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2018-31, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION FOR ONE PARCEL, COMPRISING APPROXIMATELY 23.52 ACRES, (TAX PARCEL IDENTIFICATION NUMBER 23-04-24-005571-009-00) FROM RURAL RESIDENTIAL (RR) TO BRANAN FIELD RURAL SUBURBS (BF RS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

Section 2. The adopted Future Land Use Map of the Plan is hereby amended such that the land use designation of approximately 23.52 acres comprised of a single parcel of land identified as tax parcel identification number 23-04-24-005571-009-00, as depicted in Attachment “A”, is hereby changed from RURAL RESIDENTIAL (RR) to BRANAN FIELD RURAL SUBURBS (BF RS).

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

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

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of November, 2022.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Betsy Condon, Its Chairman

ATTEST:

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

Attachment "A"

Legal Description

Parcel Identification Number: 230424-005571-009-00

EXHIBIT "A" A PARCEL OF LAND SITUATED IN SECTION 23, TOWNSHIP 4 SOUTH, RANGE 24 EAST, CLAY COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF FOXMEADOW UNIT 4, ACCORDING TO PLAT BOOK 21, PAGES 64 AND 65 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE ON THE BOUNDARIES OF SAID FOXMEADOW UNIT 4, RUN THE FOLLOWING 5 COURSES: (1) NORTH 89 DEGREES 38 MINUTES 30 SECONDS EAST, 300.00 FEET; (2) SOUTH 70 DEGREES 09 MINUTES 15 SECONDS EAST, 232.48 FEET; (3) SOUTH 53 DEGREES 00 MINUTES 28 SECONDS EAST, 110.00 FEET; (4) SOUTH 45 DEGREES 24 MINUTES 21 SECONDS EAST, 259.98 FEET; (5) SOUTH 15 DEGREES 07 MINUTES 29 SECONDS EAST, 200.00 FEET; (6) SOUTH 45 DEGREES 05 MINUTES 46 SECONDS EAST, 259.93 FEET TO THE NORTHWESTERLY LINE OF FOXMEADOW UNIT 3 ACCORDING TO PLAT BOOK 15, PAGES 11 THROUGH 13 OF SAID PUBLIC RECORDS; THENCE ON SAID NORTHWESTERLY LINE RUN THE FOLLOWING 4 COURSES: (1) SOUTH 27 DEGREES 10 MINUTES 00 SECONDS WEST, 280.00 FEET; (2) SOUTH 48 DEGREES 25 MINUTES 00 SECONDS WEST, 340.00 FEET; (3) SOUTH 69 DEGREES 30 MINUTES 00 SECONDS WEST, 450.00 FEET; (4) SOUTH 48 DEGREES 11 MINUTES 00 SECONDS WEST, 288.12 FEET; THENCE NORTH 00 DEGREES 21 MINUTES 30 SECONDS WEST, 1526.82 FEET TO THE POINT OF BEGINNING. BEING SUBJECT TO AN EASEMENT FOR DRAINAGE, UTILITIES, PEDESTRIANS AND HORSES COVERING THE WESTERLY 75 FEET THEREOF. ALSO, SUBJECT TO AN EASEMENT FOR MUCK REMOVAL COVERING THAT PART THEREOF DESCRIBED ON EXHIBIT "B", ATTACHED HERETO. ALSO, ALL THAT PART THEREOF DESCRIBED IN EXHIBIT "C" ATTACHED HERETO IS RESTRICTED TO SILVER AGRICULTURE.

EXHIBIT "B" A PARCEL OF LAND SITUATED IN SECTION 23, TOWNSHIP 4 SOUTH, RANGE 24 EAST, CLAY COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF FOXMEADOW UNIT 4, ACCORDING TO PLAT BOOK 21, PAGES 64 AND 65 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 08 DEGREES 51 MINUTES 09 SECONDS EAST, 407.16 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 27 DEGREES 21 MINUTES 30 SECONDS EAST, 449.21 FEET; THENCE NORTH 62 DEGREES 33 MINUTES 30 SECONDS EAST, 320.00 FEET; THENCE NORTH 27 DEGREES 21 MINUTES 30 SECONDS WEST, 449.21 FEET; THENCE SOUTH 62 DEGREES 33 MINUTES 30 SECONDS WEST, 320.00 FEET TO THE POINT OF BEGINNING. EXHIBIT "C" A PARCEL OF LAND SITUATED IN SECTION 23, TOWNSHIP 4 SOUTH, RANGE 24 EAST, CLAY COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF FOXMEADOW UNIT 4, ACCORDING TO PLAT BOOK 21, PAGES 64 AND 65 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 00

DEGREES 21 MINUTES 30 SECONDS EAST, 424.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES 21 MINUTES 30 SECONDS EAST, 1102.62 FEET TO THE NORTHWESTERLY LINE OF FOXMEADOW UNIT 3, ACCORDING TO PLAT BOOK 15, PAGES 11 - 13 OF SAID PUBLIC RECORDS; THENCE ON THE BOUNDARIES OF SAID FOXMEADOW UNIT 3 RUN THE FOLLOWING 4 COURSES: (1) NORTH 48 DEGREES 11 MINUTES 00 SECONDS EAST, 288.12 FEET; (2) NORTH 69 DEGREES 30 MINUTES 00 SECONDS EAST, 450.00 FEET; (3) NORTH 48 DEGREES 25 MINUTES 00 SECONDS EAST, 340.00 FEET; (4) NORTH 27 DEGREES 10 MINUTES 00 SECONDS EAST, 280.00 FEET TO THE SOUTHWESTERLY LINE OF SAID FOXMEADOW UNIT 4; THENCE ON SAID SOUTHWESTERLY LINE RUN THE FOLLOWING 3 COURSES: (1) NORTH 45 DEGREES 05 MINUTES 46 SECONDS WEST, 259.93 FEET; (2) NORTH 15 DEGREES 07 MINUTES 29 SECONDS WEST, 200.00 FEET; (3) NORTH 45 DEGREES 24 MINUTES 21 SECONDS WEST, 176.14 FEET; THENCE NORTH 84 DEGREES 26 MINUTES 28 SECONDS WEST, 97.56 FEET; THENCE SOUTH 81 DEGREES 42 MINUTES 06 SECONDS WEST, 111.20 FEET; THENCE NORTH 76 DEGREES 23 MINUTES 42 SECONDS WEST, 40.90 FEET; THENCE SOUTH 53 DEGREES 24 MINUTES 11 SECONDS WEST, 59.40 FEET; THENCE SOUTH 62 DEGREES 47 MINUTES 31 SECONDS WEST, 414.90 FEET TO THE POINT OF BEGINNING.