

ORDINANCE NO. 2022- 57

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 APPROXIMATELY 3.94 ACRES (A PORTION OF TAX PARCEL # 09-05-25-009110-005-00, A PORTION OF TAX PARCEL # 09-05-25-009110-000-00, A PORTION OF TAX PARCEL # 09-05-25-009110-003-00, A PORTION OF TAX PARCEL # 09-05-25-009110-004-00 AND A PORTION OF TAX PARCEL # 09-05-25-009110-001-00) FROM BF PCN (BRANAN FIELD PRIMARY CONSERVATION NETWORK) TO BF MPC (BRANAN FIELD MASTER PLANNED COMMUNITY); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, Application CPA 2022-12 requests an amendment to the Plan; and,

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

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

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

**Section 2.** The adopted Future Land Use Map of the Plan is hereby amended such that the land use designation of a portion of tax parcel # 09-05-25-009110-005-00, a portion of tax parcel # 09-05-25-009110-000-00, a portion of tax parcel # 09-05-25-009110-003-00, a portion of tax parcel # 09-05-25-009110-004-00 and a portion of tax parcel # 09-05-25-009110-001-00 depicted in Attachment “A-1” and described in Attachment “A-2” is hereby changed from BF PCN (BRANAN FIELD PRIMARY CONSERVATION NETWORK) to BF MPC (BRANAN FIELD MASTER PLANNED COMMUNITY).


**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 13th day of December, 2022.

BOARD OF COUNTY COMMISSIONERS  
OF CLAY COUNTY, FLORIDA

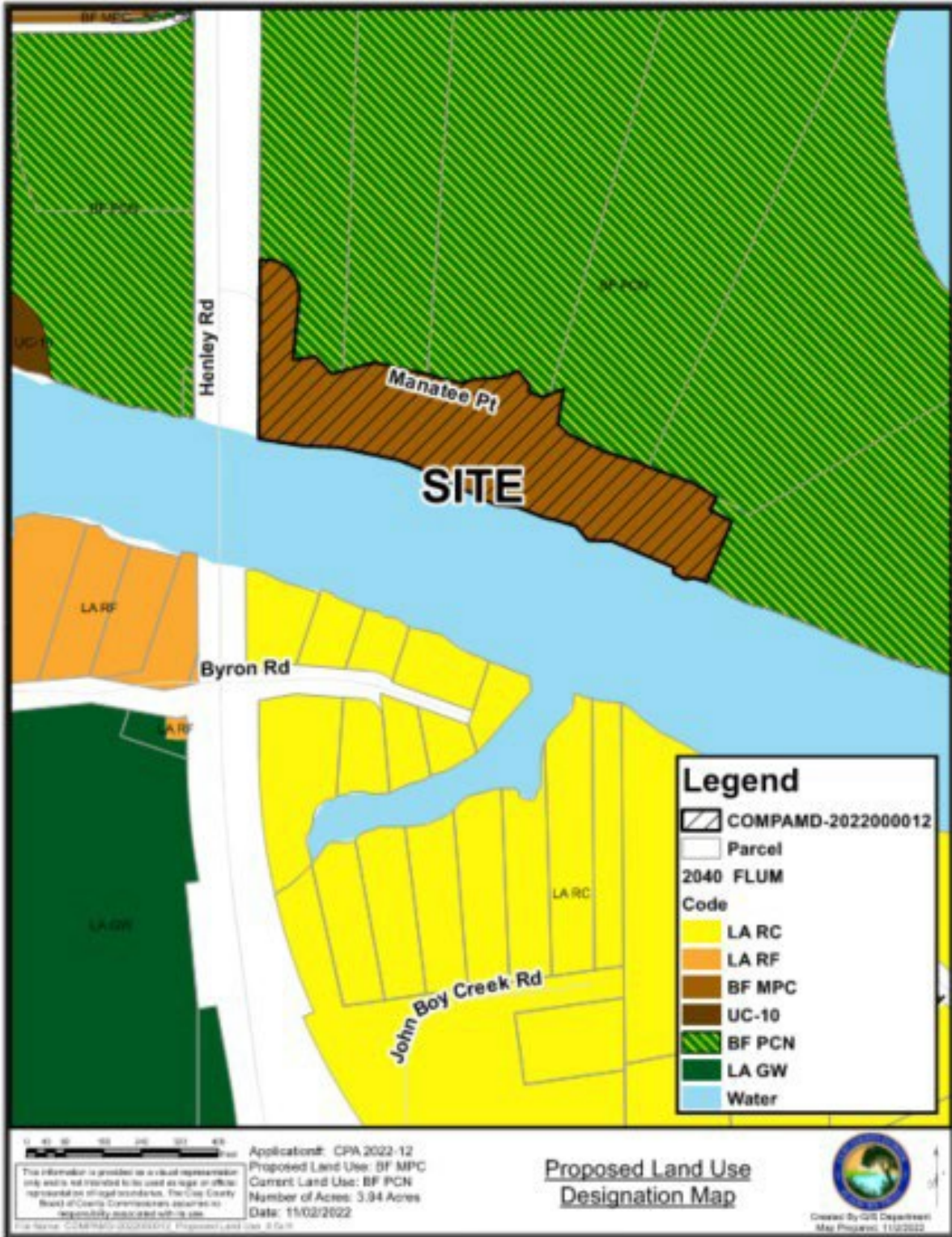


By:   
Betsy Condon (Dec 19, 2022 15:03 EST)  
Betsy Condon, Its Chairman

ATTEST:

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

Attachment "A-1"



Attachment "A-2"

A portion of tax parcel # 09-05-25-009110-005-00

Property Address: 3255 Manatee Point Dr., Middleburg, FL 32068

Legal Description: West Parcel - County Road No. C-209, Clay County, Florida

A part of Section 4, together with a part of the North 1/2 of Section 9, Township 5 South, Range 25 East, Clay County, Florida, more particularly described as follows; for a Point of Beginning, Commence at the intersection of the South line of Highland Oaks as recorded in Plat Book 21, Pages 4 and 5 of the Public Records of said County with the East line of County road No. C-209 (a 150 foot rights-of-way); thence South 89 Degrees 39 Minutes 00 Seconds East along said South line of Highland Oaks, a distance of 211.00 feet; thence South 02 Degrees 19 Minutes 57 Seconds West leaving said Southerly line, a distance of 1,170 feet more or less to the waters of Black Creek; thence Northwesterly along said Waters to its intersection with said Easterly rights-of-way line of County Road No. C-209, a distance of 176 feet more or less; thence North 00 Degrees 21 Minutes 00 Seconds East along said Easterly rights-of-way line, a distance of 1,126 feet more or less to the Point of Beginning.

The above lands subject to the following described easement:

the grantors herein grant unto grantees herein, their heirs, successors and assigns and the grantors herein reserve unto themselves, their heirs, successors and assigns, a perpetual non-exclusive easement for ingress, egress and utilities covering the following described Portion of said Section 9: Commence at the intersection of the South line of Highland Oaks as recorded in Plat Book 21, Pages 4 and 5 of the public records of Clay County, Florida, with the East line of county road no. C-209 (a 150 foot rights-of-way); thence South 89 Degrees 39 Minutes 00 Seconds East along the South line of said Highland Oaks and its Easterly extension thereof a distance of 1,366.90 feet; thence South 25 Degrees 00 Minutes 44 Seconds West, a distance of 1,356.17 feet to the Point of Beginning; thence South 71 Degrees 08 Minutes 23 Seconds East, a distance of 157.44 feet; thence South 27 Degrees 56 Minutes 36 Seconds West, a distance of 30.00 feet; thence North 71 Degrees 08 Minutes 23 Seconds West, a distance of 173.49 feet; thence North 66 Degrees 49 Minutes 30 Seconds West a distance of 330.49 feet to the point of curve of a curve concave southerly having a radius of 45.00 feet; thence Northwesterly along the arc of said curve, an arc distance of 9.75 feet to the point of tangency of said curve, said arc being subtended by a chord bearing of north 71 Degrees 07 Minutes 38 Seconds West and a chord distance of 9.75 feet; thence North 75 Degrees 25 Minutes 46 Seconds West, a distance of 227.04 feet to the point of curve of a curve concave Southerly having a radius of 75.00 feet; thence Westerly along the arc of said curve, an arc distance of 35.02 feet, said arc being subtended by a chord bearing of North 88 Degrees 48 Minutes 14 Seconds West and a chord distance of 34.70 feet; thence south 77 Degrees 49 Minutes 19 Seconds West, a distance of 46.38 feet to the point of curve of a curve concave Northerly having a radius of 75.00 feet; thence Westerly along the arc of said curve, an arc distance of 35.51 feet, said arc being subtended by a chord bearing of North 88 Degrees 36 Minutes 46 Seconds West and a chord distance of 35.18 feet; thence North 75 Degrees 02 Minutes 51 Seconds West, a distance of 66.36 feet to the point of curve of a curve concave Northeasterly and having a radius of 75.00 feet; Thence Northwesterly along the arc of said curve, an arc distance of 98.70 feet, said arc being subtended by a chord bearing of North 37 Degrees 20 Minutes 56 Seconds East, and chord distance of 91.73 feet; thence North 00 Degrees 21 Minutes 00 Seconds East a distance of 75.99 feet to the point of curve of a curve concave Westerly having a radius of 45.00 feet; thence Northerly along the arc of said curve, an arc distance of 15.07 feet, said arc being subtended by a chord bearing of North 09 Degrees 14 Minutes 35 Seconds West and a chord distance of 15.00 feet to a point on said East rights-of-way line of county road no. C-209; thence North 00 Degrees 21 Minutes 00 Seconds East along said East rights-of-way line, a distance of 47.01 feet to a point lying on a curve; Thence Southeasterly leaving said rights-of-way line and along the arc of a curve, said curve being concave Southwesterly having a radius of 75.00 feet, an arc distance of 72.62 feet, said arc being subtended by a chord bearing of South 27 Degrees 23 Minutes 26 Seconds East and a chord distance of 69.82 feet to the point of tangency of said curve; thence South 00 Degrees 21 Minutes 00 Seconds West, a distance of 75.99 feet to the Point of curve of a curve concave Northeasterly, having a radius of 45.00 feet; thence Southeasterly along the arc of said curve, an arc distance of 59.22 feet, said arc being subtended by a chord bearing of South 37 Degrees 20 Minutes 56 Seconds East and a chord distance of 55.04 feet to the point of tangency of said curve; thence South 75 Degrees 02 Minutes 51 Seconds East, a distance of 66.36 feet to the point of curve of a curve concave Northerly having a radius of 45.00 feet; thence Easterly along the arc of said curve, an arc distance of 21.31 feet, said arc being subtended by a chord bearing of South 88 Degrees 36 Minutes 46 Seconds East and a chord distance of 21.11 feet to the point of tangency of said curve; thence North 77 Degrees 49 Minutes 19 Seconds East, a distance of 46.38 feet to the point of curve of a curve concave Southerly having a Radius of 105.00 feet; thence Easterly along the arc of said curve, an arc distance of 49.02 feet, said arc being subtended by a chord bearing of South 88 Degrees 48 Minutes 14 Seconds East and a chord distance of 48.58 feet to the point of tangency of said curve; thence South 75 Degrees 25 Minutes 46 Seconds East, a distance of 277.04 feet to the point of curve of a curve concave Southerly having a radius of 75.00 feet; thence Southeasterly along the arc of said curve, an arc distance of 14.27 feet, said arc being subtended by a chord bearing of South 71 Degrees 07 Minutes 38 Seconds East and a chord distance of 14.25 feet to the point of tangency of said curve; thence South 66 Degrees 49 Minutes 30 Seconds East, a distance of 334.36 feet; thence South 71 Degrees 08 Minutes 23 Seconds East, a distance of 14.68 feet to the Point of Beginning.

A portion of tax parcel # 09-05-25-009110-000-00

A parcel of land consisting of a portion of the South one half (1/2) of Section 4, together with a portion of the North one half (1/2) of Section 9, all in Township 3 South, Range 25 East, Clay County, Florida said parcel of land being more particularly described as follows: Commence at the intersection of the East right of way line of County Road No. C-209 (formerly State Road No. S-209) a 100 foot right of way, as now established, with the North line of the Southeast one-quarter (1/4) of the Southwest one-quarter (1/4) of said Section 4; thence South 00 degrees 21 minutes 00 seconds West, along said East right of way line of County Road No. C-209, a distance of 1087.50 feet to a point where the right of way of said County Road No. C-209 widens from 100 feet in width to 150 feet in width; thence South 89 degrees 39 minutes 00 seconds East on the North line of said right of way widening a distance of 25.0 feet to the point of beginning, said point of beginning lying and being on said East right of way line of County Road No. C-209, a 150 foot wide right of way (as now established); thence continue South 89 degrees 39 minutes 00 seconds East a distance of 1885.0 feet; thence South 00 degrees 21 minutes 00 seconds West, a distance of 90 feet more or less to the waters of Black Creek; thence Northwestarily, Southwesterly, Southerly, Southeasterly, Southwesterly, Westerly and Northwesterly along and around the meanderings of said waters of Black Creek, a distance of 4520 feet more or less to the intersection of said waters with said East right of way line of County Road No. C-209, a 150 foot wide right of way (as now established), said intersection bears South 00 degrees 21 minutes 00 seconds West and is a distance of 1149 feet more or less from the point of beginning; thence North 00 degrees 21 minutes 00 seconds East on last said East right of way line of County Road No. C-209, a distance of 1149 feet more or less to the point of beginning.

A portion of tax parcel # 09-05-25-009110-003-00

(East Parcel)

A parcel of land consisting of a portion of Section 4 and a portion of the North 1/2 of Section 9, Township 5 South, Range 25 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at a Department of Transportation right-of-way monument at the intersection of the south line of Highland Oaks as recorded in Plat Book 21, pages 4 and 5 of the public records of said county and the east line of County Road No. C-209 (a 150 foot right-of-way at this point); thence South 89 degrees 39 minutes 00 seconds East, along the south line of said Highland Oaks, and on an easterly extension thereof, 676.22 feet to the point of beginning; thence continue South 84 degrees 39 minutes 00 seconds East, 239.57 feet; thence South 16 degrees 39 minutes 31 seconds West, 136.4 feet, more or less, to the face of an existing bulkhead and the waters of Black Creek; thence westerly along said waters, 106 feet, more or less, to a point that bears South 11 degrees 07 minutes 32 seconds West, 1299 feet, more or less, from the point of beginning; thence North 11 degrees 07 minutes 32 seconds East, 1299 feet, more or less, to the point of beginning. Being 5.15 acres, more or less, in area.

Together with and subject to a perpetual non-exclusive easement for ingress, egress and utilities covering the following described portion of said Section 9:

Commence at a Department of Transportation right-of-way monument at the intersection of the south line of Highland Oaks as recorded in Plat Book 21, pages 4 and 5 of the public records of said county and the east line of County Road No. C-209 (a 150 foot right-of-way at this point); thence South 89 degrees 39 minutes 00 seconds East, along the south line of said Highland Oaks, and on an easterly extension thereof, 1366.90 feet; thence South 25 degrees 00 minutes 44 seconds West, 1356.17 feet to the point of beginning; thence South 71 degrees 08 minutes 23 seconds East, 157.44 feet; thence South 27 degrees 56 minutes 36 seconds West, 30.0 feet; thence North 71 degrees 08 minutes 23 seconds West, 173.44 feet; thence North 66 degrees 44 minutes 30 seconds West, 330.44 feet; thence on the arc of a curve concave southwesterly and having a radius of 65.0 feet, run a chord bearing and distance of North 71 degrees 07 minutes 38 seconds West, 9.75 feet; thence North 75 degrees 25 minutes 46 seconds West, 227.04 feet; thence on the arc of a curve concave southeasterly and having a radius of 75.0 feet, run a chord bearing and distance of North 88 degrees 48 minutes 14 seconds West, 34.70 feet; thence South 77 degrees 44 minutes 19 seconds West, 46.38 feet; thence on the arc of a curve concave northerly and having a radius of 75.0 feet, run a chord bearing and distance of North 88 degrees 36 minutes 46 seconds West, 35.18 feet; thence North 75 degrees 02 minutes 51 seconds West, 66.36 feet; thence on the arc of a curve concave northeasterly and having a radius of 75.0 feet, run a chord bearing and distance of North 37 degrees 20 minutes 56 seconds West, 91.73 feet; thence North 00 degrees 21 minutes 00 seconds East, 75.99 feet; thence on the arc of a curve concave southwesterly and having a radius of 45.0 feet, run a chord bearing and distance of North 04 degrees 14 minutes 35 seconds West, 15.00 feet to the east line of said County Road No. C-209; thence on said east line North 00 degrees 21 minutes 00 seconds East, 47.01 feet; thence on the arc of a curve concave southwesterly and having a radius of 75.0 feet, run a chord bearing and distance of South 27 degrees 23 minutes 26 seconds East, 64.82 feet; thence South 00 degrees 21 minutes 00 seconds West, 75.99 feet; thence on the arc of a curve concave northeasterly and having a radius of 45.0 feet, run a chord bearing and distance of South 75 degrees 02 minutes 51 seconds East, 55.04 feet; thence South 75 degrees 02 minutes 51 seconds East, 66.36 feet; thence on the arc of a curve concave northerly and having a radius of 45.0 feet, run a chord bearing and distance of South 88 degrees 36 minutes 46 seconds East, 21.11 feet; thence North 77 degrees 44 minutes 19 seconds East, 46.38 feet; thence on the arc of a curve concave southeasterly and having a radius of 105.0 feet, run a chord bearing and distance of South 88 degrees 46 minutes 14 seconds East, 48.58 feet; thence South 75 degrees 25 minutes 46 seconds East, 277.04 feet; thence on the arc of a curve concave southwesterly and having a radius of 95.0 feet, run a chord bearing and distance of South 71 degrees 07 minutes 38 seconds East, 14.25 feet; thence South 66 degrees 44 minutes 30 seconds East, 334.36 feet; thence South 71 degrees 08 minutes 23 seconds East, 14.68 feet to the point of beginning.

(West Parcel)

A parcel of land consisting of a portion of Section 4 and a portion of the North 1/2 of Section 9, Township 5 South, Range 25 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at a Department of Transportation right-of-way monument at the intersection of the south line of Highland Oaks as recorded in Plat Book 21, pages 4 and 5 of the public records of said county and the east line of County Road No. C-209 (a 150 foot right-of-way at this point); thence South 89 degrees 39 minutes 00 seconds East, along the south line of said Highland Oaks 419.60 feet to the point of beginning; thence continue on said south line and on an easterly extension thereof, South 84 degrees 39 minutes 00 seconds East, 256.62 feet; thence South 11 degrees 07 minutes 32 seconds West, 1299 feet, more or less, to the face of an existing bulkhead and the waters of Black Creek; thence westerly along said waters 108 feet, more or less, to a point that bears South 04 degrees 10 minutes 45 seconds West, 1230 feet, more or less, from the point of beginning; thence North 04 degrees 10 minutes 45 seconds East, 1230 feet, more or less, to the point of beginning. Being 5.15 acres, more or less, in area.

Together with and subject to a perpetual non-exclusive easement for ingress, egress and utilities covering the following described portion of said Section 9:

Commence at a Department of Transportation right-of-way monument at the intersection of the south line of Highland Oaks as recorded in Plat Book 21, pages 4 and 5 of the public records of said county and the east line of County Road No. C-209 (a 150 foot right-of-way at this point); thence South 89 degrees 39 minutes 00 seconds East, along the south line of said Highland Oaks, and on an easterly extension thereof, 1366.90 feet; thence South 25 degrees 00 minutes 44 seconds West, 1356.17 feet to the point of beginning; thence South 71 degrees 08 minutes 23 seconds East, 157.44 feet; thence South 27 degrees 56 minutes 36 seconds West, 30.0 feet; thence North 71 degrees 08 minutes 23 seconds West, 173.44 feet; thence North 66 degrees 44 minutes 30 seconds West, 330.44 feet; thence on the arc of a curve concave southwesterly and having a radius of 65.0 feet, run a chord bearing and distance of North 71 degrees 07 minutes 38 seconds West, 9.75 feet; thence North 75 degrees 25 minutes 46 seconds West, 227.04 feet; thence on the arc of a curve concave southeasterly and having a radius of 75.0 feet, run a chord bearing and distance of North 88 degrees 48 minutes 14 seconds West, 34.70 feet; thence South 77 degrees 44 minutes 19 seconds West, 46.38 feet; thence on the arc of a curve concave northerly and having a radius of 75.0 feet, run a chord bearing and distance of North 88 degrees 36 minutes 46 seconds West, 35.18 feet; thence North 75 degrees 02 minutes 51 seconds West, 66.36 feet; thence on the arc of a curve concave northeasterly and having a radius of 75.0 feet, run a chord bearing and distance of North 37 degrees 20 minutes 56 seconds West, 91.73 feet; thence North 00 degrees 21 minutes 00 seconds East, 75.99 feet; thence on the arc of a curve concave southwesterly and having a radius of 45.0 feet, run a chord bearing and distance of North 04 degrees 14 minutes 35 seconds West, 15.00 feet to the east line of said County Road No. C-209; thence on said east line North 00 degrees 21 minutes 00 seconds East, 47.01 feet.

A portion of tax parcel # 09-05-25-009110-004-00

A Parcel of land consisting of a portion of Section 4 and a portion of the North 1/2 of Section 9, Township 5 South, Range 25 East, Clay County, Florida, said Parcel being more particularly described as follows: Commence at a Department of Transportation right-of-way monument at the intersection of the South line of Highland Oaks as recorded in Plat Book 21, Pages 4 and 5 of the Public Records of said County and the East line of County Road No. C-209 (a 150 foot right-of-way at this point); thence South 89 degrees 39 minutes 00 seconds East, along the South line of said Highland Oaks and an Easterly extension thereof, 915.79 feet to the point of beginning; thence continue, South 89 degrees 39 minutes 00 seconds East, 451.11 feet; thence South 25 degrees 00 minutes 44 seconds West, 1522 feet, more or less, to the waters of Black Creek; thence Westerly along said waters 213 feet, more or less, to a point that bears South 16 degrees 39 minutes 31 seconds West, 1357 feet, more or less, from the point of beginning; thence North 16 degrees 39 minutes 31 seconds East, 1357 feet, more or less, to the point of beginning. TOGETHER WITH the easement for ingress and egress described in Deed recorded in Official Records Book 1900, Page 2149 of the Public Records of Clay County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel Identification No.: 09-05-25-009110-004-00

A portion of tax parcel # 09-05-25-009110-001-00

A parcel of land consisting of a portion of the South 1/2 of Section 4 and a portion of the North 1/2 of Section 9, Township 5 South, Range 25 East, Clay County, Florida, said parcel being more particularly described as follows:  
Commence at a Department of Transportation right-of-way monument at the intersection of the south line of Highland Oaks as recorded in Plat Book 21, pages 4 and 5 of the public records of said county and the east line of County Road No. C-209 (a 150 foot right-of-way at this point); thence South 89 degrees 39 minutes 00 seconds East, along the south line of said Highland Oaks and on an easterly projection thereof, 1336.90 feet to a point hereinafter known as Point 'A'; thence South 25 degrees 00 minutes 44 seconds West, 1336.25 feet; thence South 69 degrees 09 minutes 10 seconds East, 97.19 feet; thence South 62 degrees 03 minutes 24 seconds East, 137.62 feet to the point of beginning; thence North 62 degrees 03 minutes 24 seconds West, 77.94 feet; thence South 27 degrees 56 minutes 36 seconds West, 30.00 feet; thence South 62 degrees 03 minutes 24 seconds East, 51.86 feet; thence South 22 degrees 34 minutes 41 seconds West, 142 feet, more or less, to the waters of Black Creek; thence along said waters in a westerly direction, 213 feet more or less, to a point that bears South 25 degrees 00 minutes 44 seconds West, 1522 feet more or less from aforementioned Point 'A'; thence North 25 degrees 00 minutes 44 seconds East, 1522 feet more or less to said Point 'A'; thence South 89 degrees 39 minutes 00 seconds East, 521.15 feet; thence South 00 degrees 27 minutes 38 seconds West, 108 feet more or less, to the waters of Black Creek; thence along said waters in a westerly, southwesterly, southerly and southeasterly direction, 1455 feet more or less, to a point that bears North 60 degrees 05 minutes 46 seconds East, 632 feet more or less, from the point of beginning; thence South 60 degrees 05 minutes 46 seconds West, 632 feet more or less to the point of beginning. Being 10.3 acres, more or less in area.  
The grantors herein grant unto the grantees herein, their heirs, successors and assigns, and the grantors herein reserve unto themselves, their heirs, successors and assigns, a perpetual easement for ingress, egress and utilities covering the following described portion of said North 1/2 of Section 9:  
Commence at the aforementioned Point 'A'; thence South 25 degrees 00 minutes 44 seconds West, 1336.25 feet to the point of beginning; thence South 69 degrees 09 minutes 10 seconds East, 97.19 feet; thence South 62 degrees 03 minutes 24 seconds East, 59.68 feet; thence South 27 degrees 56 minutes 36 seconds West, 30.00 feet; thence North 62 degrees 03 minutes 24 seconds West, 57.82 feet; thence North 69 degrees 09 minutes 10 seconds West, 618.88 feet; thence on the arc of a curve concave southerly and having a radius of 270.0 feet, run a chord bearing and distance of South 87 degrees 46 minutes 47 seconds West, 211.58 feet; thence on the arc of a curve concave northerly and having a radius of 111.56 feet, run a chord bearing and distance of South 89 degrees 39 minutes 29 seconds West, 94.11 feet to said east line of County Road No. C-209; thence on said east line North 00 degrees 21 minutes 00 seconds East, 34.25 feet; thence on the arc of a curve concave northerly and having a radius of 81.56 feet, run a chord bearing and distance of South 85 degrees 22 minutes 34 seconds East, 81.35 feet; thence on the arc of a curve concave southerly and having a radius of 300.00 feet, run a chord bearing and distance of North 87 degrees 46 minutes 47 seconds East, 235.09 feet; thence South 69 degrees 09 minutes 10 seconds East, 523.56 feet to the point of beginning.