

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2040 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE NO. 2018-31, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF TWO PARCELS (TAX PARCEL IDENTIFICATION NUMBERS 28-04-25-008040-004-00 AND 28-04-25-008040-001-00), COMPRISING 23.74 ACRES, FROM UC-10 (URBAN CORE-10) TO UC-16 (URBAN CORE-16); 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-2022-19 requests an amendment to the Plan; and,

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

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

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

**Section 2.** The adopted Future Land Use Map of the Plan is hereby amended such that the Future Land Use designation of two parcels of land (tax parcel identification numbers 28-04-25-008040-004-00 and 28-04-25-008040-001-00), described in Exhibit “A-1”, and depicted in Exhibit “A-2”, is hereby changed from UC-10 (URBAN CORE-10) to UC-16 (URBAN CORE-16).

**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 January, 2023.

BOARD OF COUNTY COMMISSIONERS  
OF CLAY COUNTY, FLORIDA

By: \_\_\_\_\_  
Betsy Condon, Its Chairman

ATTEST:

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

Exhibit "A-1"

LEGAL DESCRIPTION #1 (TITLE COMMITMENT # FL252202155JC/DC2200544):

A PARCEL OF LAND SITUATE IN THE S.E. 1/4 OF N.E. 1/4 OF SECTION 28, TOWNSHIP 4 SOUTH, RANGE 25 EAST, CLAY COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE N.E. CORNER OF S.E. 1/4 OF N.E. 1/4 OF SAID SECTION 28; THENCE ON THE N. LINE THEREOF RUN S. 89°59' W., 217.0 FEET; THENCE S. 21°39'49"W., 250.34 FEET; THENCE N. 62°06'45" W., 398.96 FEET; THENCE N. 00°07'40" W., 46.00 FEET TO THE N. LINE OF SAID S.E. 1/4 OF N.E. 1/4; THENCE ON LAST SAID LINE S. 89°59' W, 662.19 FEET TO THE W. LINE OF SAID S.E. 1/4 OF N.E. 1/4; THENCE ON LAST SAID LINE S. 00°08'30" E., 1340.76 FEET TO THE S. LINE OF SAID S.E. 1/4 OF N.E. 1/4; THENCE ON LAST SAID LINE N. 89°49' E., 455.53 FEET TO THE NORTHWESTERLY LINE OF STATE ROAD NO. 21; THENCE ON LAST SAID LINE N. 55°12' E., 1055.83 FEET TO THE E. LINE OF SAID S.E. 1/4 OF N.E. 1/4; THENCE ON LAST SAID LINE N. 00°07' W., 737.03 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN DEED RECORDED IN OFFICIAL RECORDS BOOK 508, PAGE 205, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 639, PAGE 533, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 639, PAGE 534, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 769, PAGE 702, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1101, PAGE 590, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 1531, PAGE 1042, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA. (PARCEL NUMBER 104)
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1675, PAGE 31, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 1784, PAGE 4, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.

- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 3057, PAGE 1482, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA. (PARCEL NUMBER 102)
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 3733, PAGE 328, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- ANY LAND LYING WEST OF BEAR RUN BOULEVARD.

TOGETHER WITH:

LEGAL DESCRIPTION #2 (TITLE COMMITMENT # FL252209143JC/DC2202399):

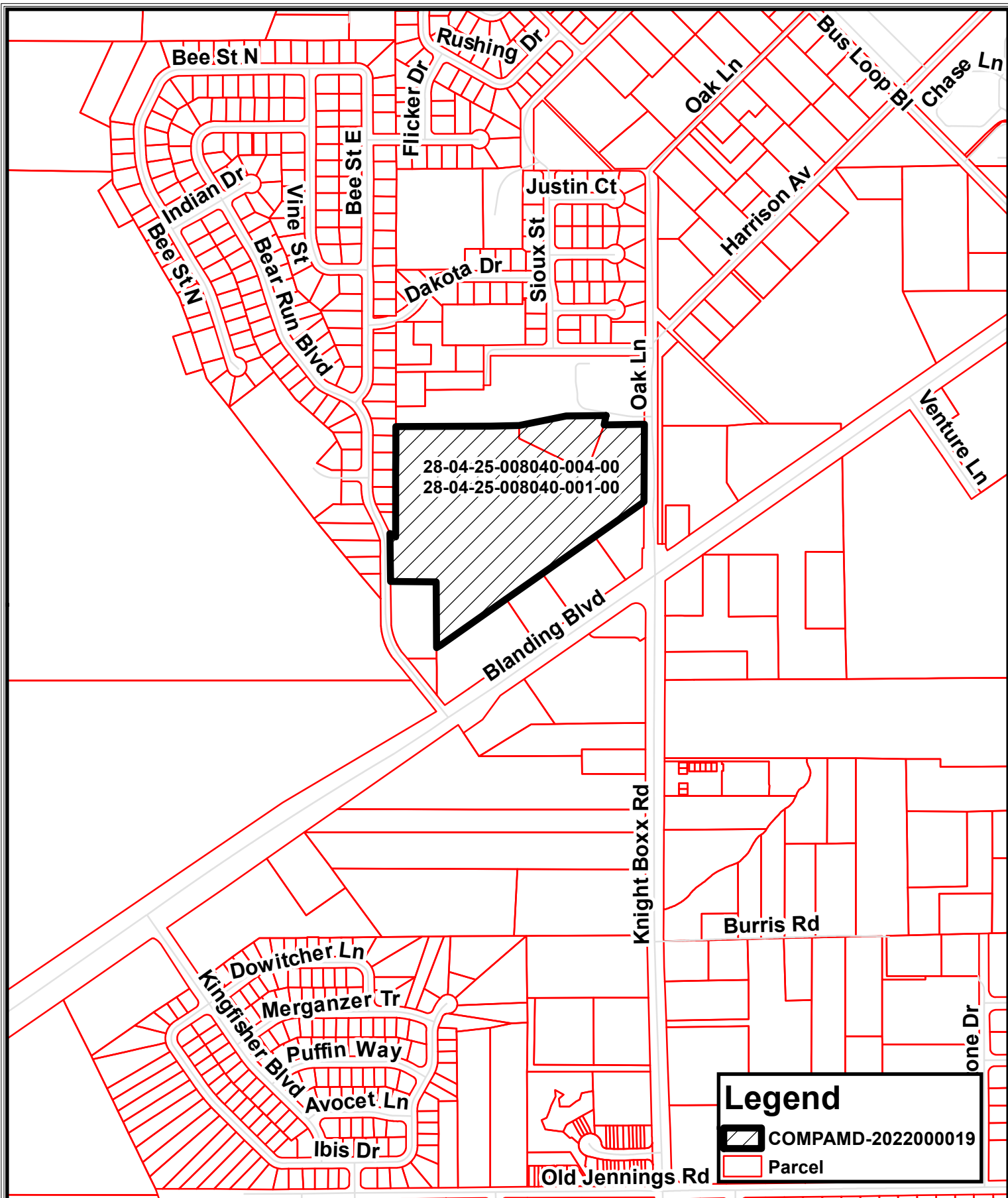
THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND LYING IN AND BEING A PORTION OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 4 SOUTH, RANGE 25 EAST, CLAY COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 28, THENCE SOUTH 01 DEGREES 07 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 28, 1336.85 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28, THENCE SOUTH 89 DEGREES 59 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 217.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 21 DEGREES 39 MINUTES 49 SECONDS WEST, ALONG THE NORTHERLY LINE OF THE LANDS CONVEYED IN OFFICIAL RECORD BOOK 244, PAGE 424, OF THE PUBLIC RECORDS OF SAID CLAY COUNTY, FLORIDA, 250.34 FEET; THENCE NORTH 62 DEGREES 06 MINUTES 45 SECONDS WEST, ALONG THE SAID NORTHERLY LINE, 398.96 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS WEST ALONG SAID NORTHERLY LINE AND THE NORTHERLY PROLONGATION THEREOF 76.04 FEET; THENCE NORTH 78 DEGREES 44 MINUTES 23 SECONDS EAST, 264.70 FEET; THENCE SOUTH 80 DEGREES 22 MINUTES 00 SECONDS EAST, 207.23 FEET; THENCE SOUTH 21 DEGREES 39 MINUTES 49 SECONDS WEST, 50.66 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND LYING IN AND BEING A PORTION OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 4 SOUTH, RANGE 25 EAST, CLAY COUNTY, FLORIDA: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 28, THENCE SOUTH 00 DEGREES 07 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 28, 1336.85 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28, 217.00 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE NORTH 21 DEGREES, 39 MINUTES 49 SECONDS EAST, 32.28 FEET; THENCE NORTH 89 DEGREES, 59 MINUTES, 00 SECONDS EAST, 190.02 FEET TO THE WEST RIGHT OF WAY LINE OF OAK DRIVE (A 40.0 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTH 00 DEGREES 07 MINUTES 00 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE 30.03

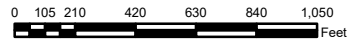
FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE SOUTH 89 DEGREES 59 MINUTES 00 SECONDS WEST, ALONG SAID NORTH LINE, 202.00 FEET TO THE POINT OF BEGINNING

Exhibit "A-2"



**Legend**

-  COMPAMD-202200019
-  Parcel



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

Application#: CPA 2022-27  
 Proposed Land Use: UC-16  
 Current Land Use: UC-10  
 Number of Acres: 21.16 Acres  
 Date: 11/04/2022

Parcel Map



Created By: GIS Department  
 Map Prepared: 11/4/2022