

ORDINANCE NO. 2017-___

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2025 COMPREHENSIVE PLAN (THE "PLAN") INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE No. 09-41, AS SUBSEQUENTLY AMENDED, TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION IN THE FOXWOOD UNIT 1 SUBDIVISION, PARCELS 07-04-26-012920-000-00, 07-04-26-012921-000-00, 07-04-26-012942-000-00, and 07-04-26-012943-000-00, FROM COMMERCIAL TO URBAN CORE; PROVIDING FOR SEVERABILITY; PROVIDING DIRECTIONS TO THE CLERK OF THE BOARD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 27, 2009, the Board of County Commissioners of Clay County, Florida (the "Board"), adopted Ordinance No. 09-41, which adopted the Clay County 2025 Comprehensive Plan (the Plan); and,

WHEREAS, Section 163.3184, Florida Statutes, outlines the process for the adoption of comprehensive plans or amendments thereto; 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. With respect to the Plan, the adopted Future Land Use Map is hereby amended such that the land use designation of the parcels depicted in Exhibit A-1 attached hereto and by reference made a part hereof, is changed from COMMERCIAL TO URBAN CORE.

Section 2. 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 3. The Clerk of the Board of County Commissioners is authorized and directed within 10 days of the date of adoption of this ordinance to send certified, complete and accurate copies of this ordinance by certified mail, return receipt requested, to the Florida Department of Economic Opportunity, the Caldwell Building, 107 East Madison Street, Tallahassee, Florida 32399-4120, the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216, and any other agency or local government that provided timely comments as specified in Section 163.3184(4), Florida Statutes.

Section 4. In accordance with Section 163.3184, Florida Statutes, if the Plan amendment provided by this ordinance is not timely challenged, then the effective date of said Plan shall be the 31st day after the date the Department of Economic Opportunity notifies the County that the plan amendment is complete. If the Plan amendment is timely challenged, however, said effective date shall be the date a final order is entered by the

Department of Economic Opportunity or the Administrative Commission determining the amendment to be in compliance. No development orders, development permits or land uses dependent on these Plan amendments may be issued or commence before they have become effective. If a final order of non-compliance is issued, these Plan amendments may nevertheless be made effective by adopting of a resolution affirming their effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, The Caldwell Building, 107 E. Madison Street, Tallahassee, Florida 32399-4120. The resolution shall not become effective until receipt of a written notice from the Department of Economic Opportunity that it has received the resolution.

Duly Adopted by the Board of County Commissioners of Clay County, Florida, this ____ day of _____, 2017.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

Wayne Bolla
Its Chairman

ATTEST:

S.C. KOPELOUSOS
County Manager and Clerk of the
Board of County Commissioners

Exhibit "A-1"

