

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 FOR APPROXIMATELY 44.72 ACRES FROM RURAL RESIDENTIAL TO INDUSTRIAL; 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 parcel depicted in Exhibit A-1 and described in Exhibit A-2 both of which are attached hereto and by reference made a part hereof, is changed from RURAL RESIDENTIAL TO INDUSTRIAL.

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 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 5. 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"

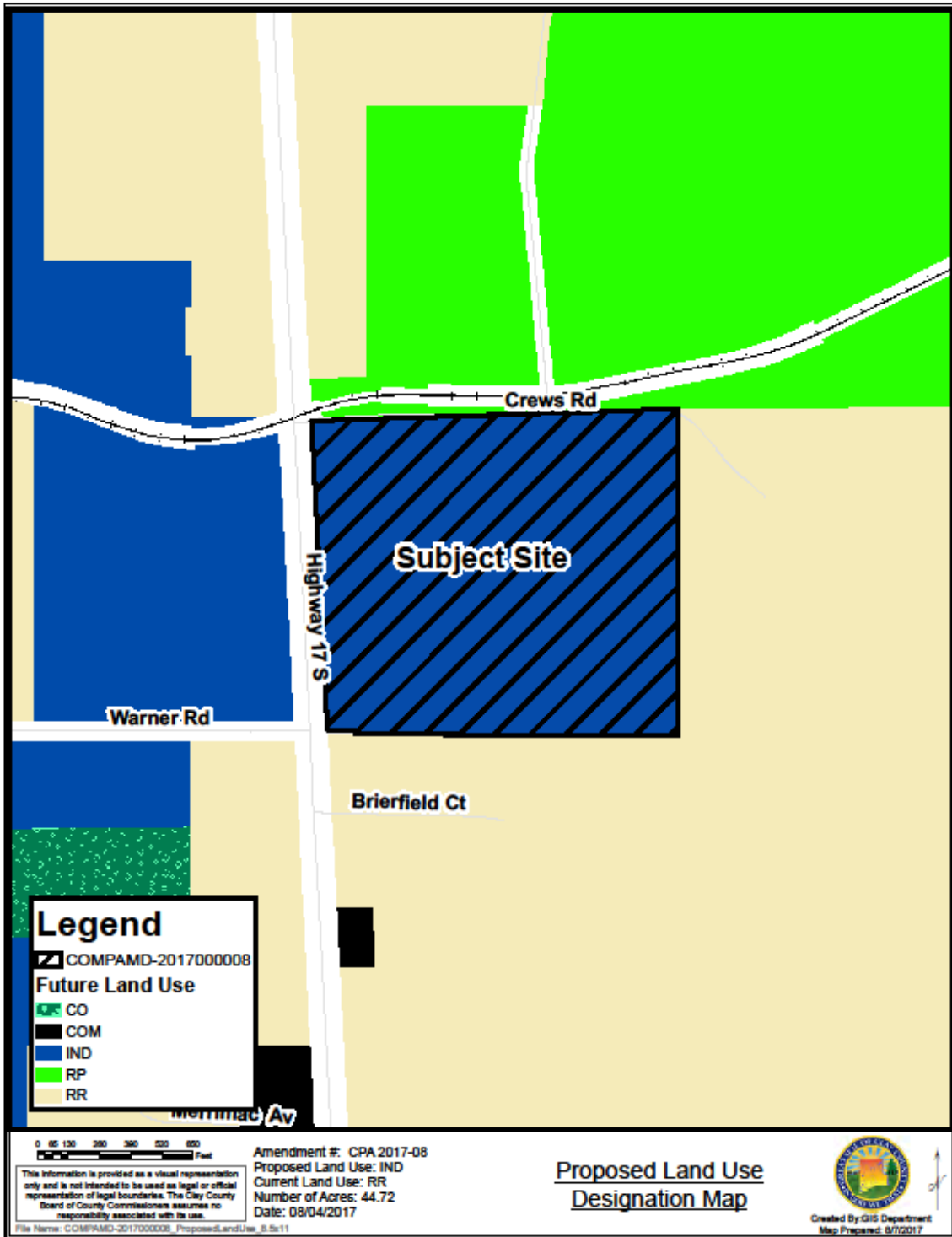


Exhibit "A-2"
Legal Description

A parcel of land consisting of a portion of the Southwest 1/4 of the Southwest 1/4 of Section 24, together with a portion of the Southeast 1/4 of the Southeast 1/4 of Section 23, all in Township 7 South, Range 26 East, Clay County, Florida, said parcel being more particularly described as follows:

Begin at the southeast corner of said Section 23; thence North 00 degrees 06 minutes 30 seconds West, along the east line of said Section 23, a distance of 15.00 feet; thence North 89 degrees 32 minutes 25 seconds West, along the north line of a 30 foot county road right-of-way as described in Deed Book 27, page 412 of the public records of said county, a distance of 18.18 feet; thence North 01 degree 14 minutes 21 seconds East, 85.03 feet; thence South 89 degrees 28 minutes 44 seconds West, 100.00 feet to a point on the east line of U.S Highway no. 17 (State Road no. 15); thence on last said line run the following five courses: 1) North 01 degrees 14 minutes 21 seconds East 158.07 feet; 2) North 04 degrees 00 minutes 17 seconds West 300.04 feet; 3) North 05 degrees 53 minutes 40 seconds West 200.17 feet; 4) South 87 degrees 01 minutes 00 seconds West 5.00 feet; 6) North 02 degrees 59 minutes 00 seconds West 652. 83 feet to the north line of said Southeast 1/4 of the Southeast 1/4 of Section 23; thence on last said line South 89 degrees 28 minutes 30 seconds East 190.77 feet to the northwest corner of said Southwest 1/4 of the Southwest 1/4 of Section 24; thence on the north line of said Southwest 1/4 of the Southwest 1/4, South 89 degrees 48 minutes 06 seconds East 1319.28 feet to the east line of said Southwest 1/4 of the Southwest 1/4; thence on last said line South 00 degrees 13 minutes 53 seconds East, 1329.78 feet to a point on the south line of said Section 24; thence on last said line North 89 degrees 28 minutes 44 seconds West, 1322.19 feet to the point of beginning, being 44.72 acres, more or less, in area.