

ORDINANCE NO. 2018-___

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2025 COMPREHENSIVE PLAN INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE No. 09-41, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 1.78 ACRES (TAX PARCEL 11-07-26-015850-002-00) FROM RURAL RESIDENTIAL TO COMMERCIAL, (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 163.3187, Florida Statutes, outlines the process for small scale amendments 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. 09-41, as amended, is hereby 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 designations of the parcels depicted in Attachment “A-1” and described in Attachment “A-2” are hereby changed from RURAL RESIDENTIAL to COMMERCIAL.

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 E. Madison Street, Tallahassee, Florida, 32399-4120, the Northeast Florida Regional Planning Council, 100 Festival Park Avenue Jacksonville, FL 32202, and any other agency or local government that provided timely comments as specified in Section 163.3184(4), Florida Statutes.

Section 5. The effective date of this small-scale 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. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its 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.

Duly Adopted by the Board of County Commissioners of Clay County, Florida, this ____ day of _____, 2018.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

By: _____
Gavin Rollins, Its Chairman

ATTEST:

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

Exhibit "A-1"

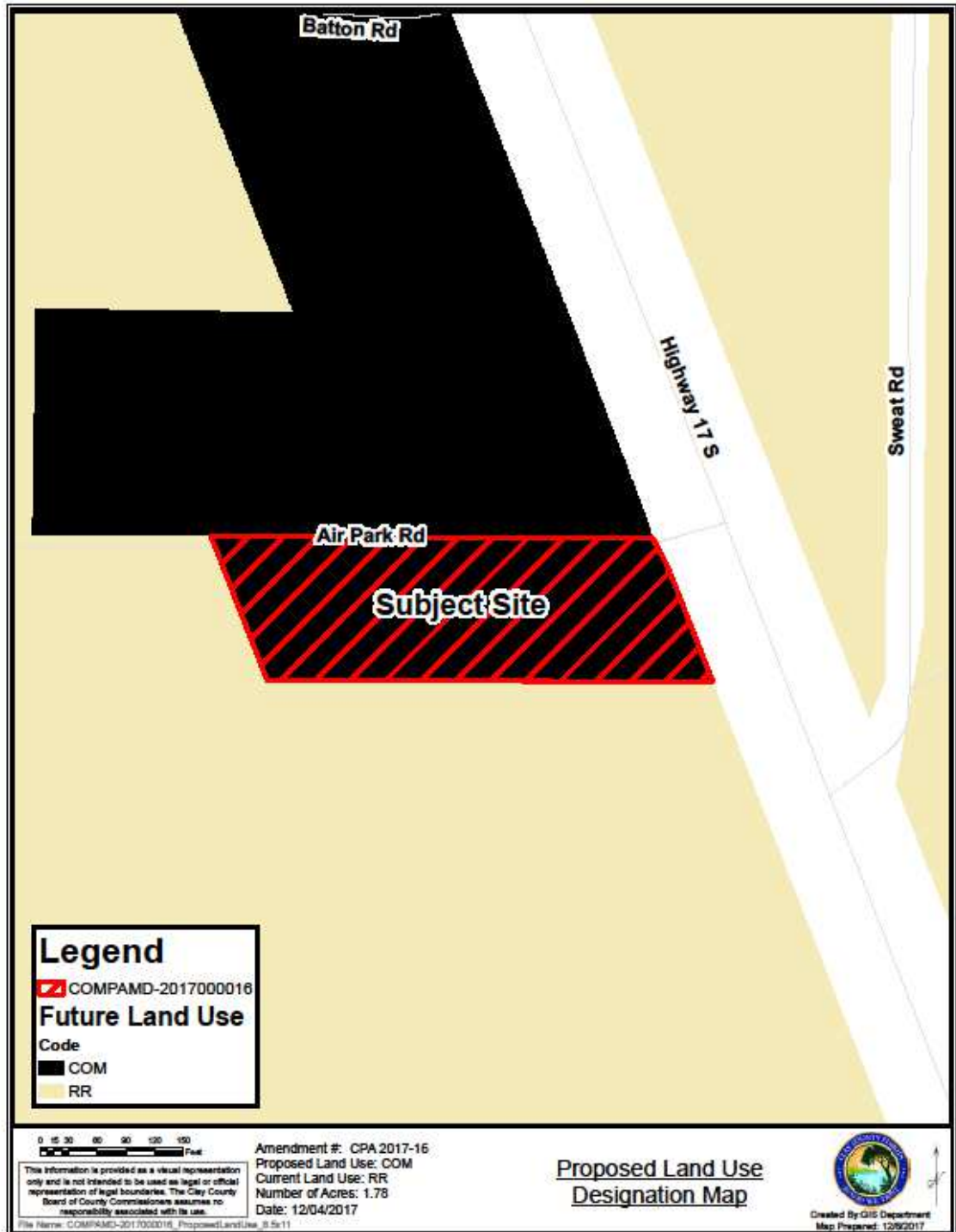


Exhibit A-2

OR: BK 3423 PG 1591

EXHIBIT "A"

(Legal Description)

A parcel of land within the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 11, Township 7 South, Range 26 East, Clay County, Florida, more particularly described as follows:

As a point of reference commence at the Southwest corner of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 11; thence run North 30° 54' 40" East 176.72 feet; thence North 89° 02' 10" East 136.23 feet; thence North 21° 03' 00" West and parallel to the right of way of State Road No. 15 a distance of 492.35 feet to the point of beginning; thence continue North 21° 03' 00" West 162.56 feet; thence South 88° 59' 36" East 477.63 feet to the Westerly line of State Road No. 15; thence along said line South 21° 03' 00" East 167.56 feet; thence North 88° 59' 36" West 477.63 feet to the point of beginning.