

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 BF FLU POLICY 1.4.1 OF THE BRANAN FIELD MASTER PLAN ELEMENT, WHICH IS EXHIBIT L THERETO, TO INCLUDE A BF AGRICULTURE LAND USE CATEGORY; TO ADD A NEW BF FLU POLICY 1.4.11 FOR THE PURPOSE OF ADDING A BF AGRICULTURE LAND USE CATEGORY; AND TO AMEND THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 207 ACRES FROM BF RURAL SUBURBS TO BF AGRICULTURE; PROVIDING FOR SEVERABILITY; AND 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,

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 hereby amended as provided in Sections 2 through 5 hereof.

Section 2. BF FLU Policy 1.4.1 of Exhibit L of the Plan, known as the Branan Field Master Plan Element, is amended as follows:

BF FLU POLICY 1.4.1

In order to implement the urban form identified by the Branan Field Master Plan, the Master Plan shall include the following land use categories: BF Activity Center (BF AC), BF Community Center (BF CC), BF Master Planned Community (BF MPC), BF Rural Suburb (BF RS), BF Rural Activity Center (BF RAC), BF Community Park (BF CP), Primary Conservation Network (BF PCN), BF Mixed Use (BF MU), ~~and~~ BF Rural Neighborhood Center (BF RNC) and BF Agriculture (BF AG). The location and mix of development shall be consistent with the Master Plan Land Use Map.

Section 3. Exhibit L of the Plan, known as the Branan Field Master Plan Element, is amended to include a new BF FLU Policy 1.4.11 as follows:

BF FLU POLICY 1.4.11
BF Agriculture (BF AG)

1) Land Use

The BF Agriculture (BF AG) land use category is intended for those areas of the Branan Field Master Plan as appropriate locations for all types of agricultural pursuits including crop production, pasture land for grazing animals, timber production, and cover crops for soil regeneration. These uses are generally characterized by being situated in areas removed from urban services, having low densities and exhibiting a rural character. The location of BF AG land use shall be limited to the southwestern portion of the Master Plan Area.

Permitted uses include agricultural and silvicultural activities along with limited single family residential development at a density of one unit per twenty gross acres. Specific permitted uses are listed in the Branan Field land development regulations.

2) Density

Gross density within BF AG is limited to one dwelling unit per twenty acres. Septic tanks and wells shall be allowed to serve uses within the BF AG land use.

3) Recreation

Neighborhood and Community Parks shall not be required for development within the BF AG land use.

Section 4. The adopted Future Land Use Map of the Plan is hereby amended such that the land use designation of the parcel depicted in Attachment “A-1” and described in Attachment “A-2” is hereby changed from BF RURAL SUBURBS to BF AGRICULTURE.

Section 5. 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 6. 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 a certified, complete and accurate copy of this ordinance by U. S. Mail to the Florida Department of Economic Opportunity, the Caldwell Building, 107 East Madison Street, Tallahassee, Florida 32399-4120, the Northeast Florida Regional Council, 100 Festival Park Avenue, Jacksonville, Florida 32202, and any other

agency or local government that provided timely comments as specified in Section 163.3184, Florida Statutes.

Section 7. 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 this Plan amendment may be issued or commence before they have become effective.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of _____, 2019.

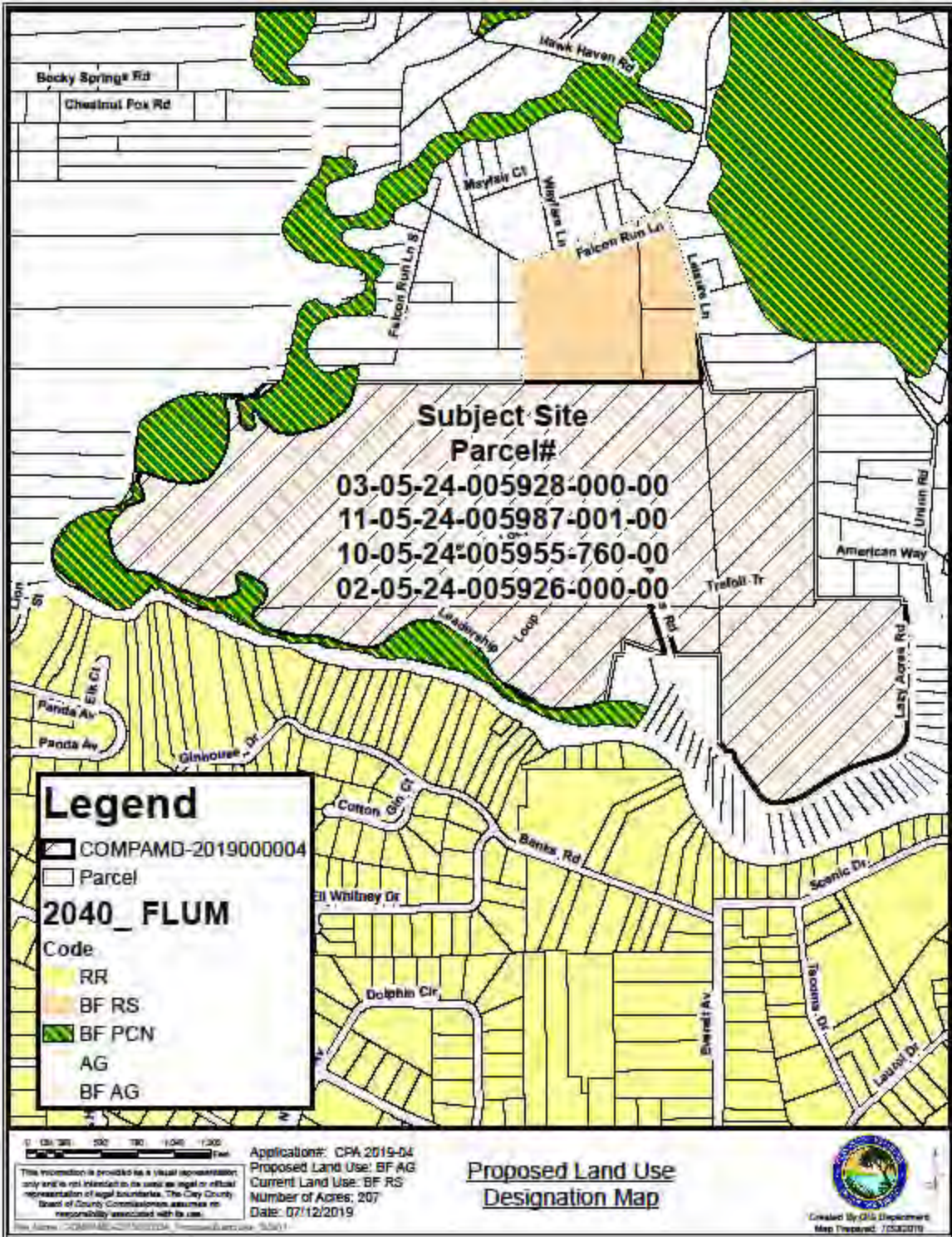
BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

By: _____
Mike Cella, Its Chairman

ATTEST:

Howard Wanamaker
County Manager and Clerk of the
Board of County Commissioners

Attachment "A-1"



Attachment "A-2"

Legal Description
Trefoil Trail
Girl Scouts of Gateway Council, Inc.

A parcel of land consisting of a portion of Section 2, 3, 10 and 11, Township 5 South, Range 24 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the northwest corner of Lot 1, Paradise Acres, according to plat thereof recorded in Plat Book 8, page 58 of the public records of said county; thence North 89 degrees 42 minutes 15 seconds West, on a westerly projection of the north line of said Paradise Acres, 250.00 feet to the point of beginning; thence South 89 degrees 42 minutes 15 seconds East, 50.0 feet; thence North 12 degrees 27 minutes 13 seconds East, 101.57 feet; thence South 73 degrees 34 minutes 52 seconds East, 323.36 feet to the southwesterly line of Lazy Acres Road (also known as Starling Road); thence on said southwesterly line, South 17 degrees 55 minutes 30 seconds East, 10.00 feet to the north line of said Paradise Acres; thence on said north line South 89 degrees 42 minutes 15 seconds East, 355.45 feet to the east line of said Paradise Acres; thence on said east line South 00 degrees 23 minutes 00 seconds West, 618.58 feet to the northeasterly line of said Lazy Acre Road; thence on the boundaries of said Lazy Acres Road run the following 12 courses: (1) South 45 degrees 22 minutes 15 seconds East, 32.85 feet; (2) South 43 degrees 10 minutes 50 seconds East, 106.02 feet; (3) southeasterly along the arc of a curve concave southwesterly and having a radius of 50.0 feet, an arc distance of 86.73 feet, said arc being subtended by a chord bearing and distance of South 33 degrees 59 minutes 30 seconds East, 76.26 feet; (4) South 37 degrees 25 minutes 00 seconds East, 305.00 feet; (5) southeasterly along the arc of a curve concave northeasterly and having a radius of 149.06 feet, an arc distance of 167.15 feet, said arc being subtended by a chord bearing and distance of South 69 degrees 32 minutes 30 seconds East, 158.53 feet; (6) North 78 degrees 20 minutes 00 seconds East, 28.37 feet; (7) northeasterly along the arc of a curve concave northwesterly and having a radius of 543.0 feet, an arc distance of 199.02 feet, said arc being subtended by a chord bearing and distance of North 67 degrees 50 minutes 00 seconds East, 197.91 feet; (8) North 57 degrees 20 minutes 00 seconds East, 183.91 feet; (9) northeasterly along the arc of a curve concave southeasterly and having a radius of 984.93 feet, an arc distance of 252.12 feet, said arc being subtended by a chord bearing and distance of North 64 degrees 40 minutes 00 seconds East, 251.44 feet; (10) North 72 degrees 00 minutes 00 seconds East, 153.66 feet; (11) northeasterly along the arc of a curve concave northwesterly and having a radius of 208.73 feet, an arc distance of 262.30 feet, said arc being subtended by a chord bearing and distance of North 36 degrees 00 minutes 00 seconds East, 245.38 feet; (12) North 00 degrees 00 minutes 00 seconds West, 913.71 feet to the north line of said Section 11; thence on said north line South 89 degrees 58 minutes 08 seconds West, 649.42 feet; thence North 00 degrees 14 minutes 40 seconds West, 1522.63 feet; thence North 89 degrees 51 minutes 50 seconds West, 3,817 feet, more or less, to the waters of the North Fork of Black Creek; thence southwesterly, southerly and southeasterly along said waters 6,857 feet, more or less, to a point that bears South 12 degrees 27 minutes 13 seconds West, 534 feet, more or less, from the point of beginning; thence North 12 degrees 27 minutes 13 seconds East, 534 feet, more or less, to the point of beginning. Being 248.3 acres, more or less, in area.