

**GILCHRIST COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**ORDINANCE 2021-02**  
(Land Development Code Amendment)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; AMENDING THE GILCHRIST COUNTY LAND DEVELOPMENT CODE FUTURE LAND USE ZONING MAP AS AUTHORIZED UNDER FLORIDA STATUTES SECTION 125.66; AMENDING THE LAND USE DESIGNATION FROM INDUSTRIAL TO AGRICULTURE-2 (A-2) ON AN APPROXIMATELY 5.00 ACRE PARCEL BEING A PART OF GILCHRIST COUNTY PARCEL NUMBER 14-10-14-0000-0003-0010; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Gilchrist County, Florida, is authorized, empowered, and directed to adopt land development regulations to implement the Comprehensive Plan and to guide and regulate the growth and development of the County in accordance with the Community Planning Act (Section 163.3161 et seq.,) Florida Statutes; and

WHEREAS, the Board of County Commissioners of Gilchrist County adopted its Comprehensive Plan 2030, which became effective in August 2016; and

WHEREAS, the Board of County Commissioners of Gilchrist County adopted its amended Land Development Code, which became effective on January 1, 2007; and

WHEREAS, the Board of County Commissioners of Gilchrist County, Florida, desires to make an amendment to the Gilchrist County Land Development Code, relating to an amendment made to the Comprehensive Plan and Map under the Small-Scale Amendment process which changed the Future Land Use Category from Industrial to Agriculture on the real property described herein; and

WHEREAS, a duly noticed public hearing was conducted on such proposed amendment on August 2, 2021 by the Board of County Commissioners.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA:

Section 1. Legislative Findings of Fact. The Board of County Commissioners of Gilchrist County, Florida, finds and declares that all the statements set forth in the preamble of this ordinance are true and correct.

Section 2. The Land Use Category and Land Use District for the following described real property is hereby amended and changed from Industrial and shall hereafter be designated as Agriculture-2 or A-2 on the County Official Zoning Map and Land Use Zoning District:

#### **LEGAL DESCRIPTION**

The property is more particularly described as follows: Commence at the Northwest corner of Section 14, Township 10 South, Range 14 East for the Point of Beginning. Thence run along the North line of said Section 14, N 89 deg. 42 min. 59 sec. E, 652.83 feet; thence run S 00 deg. 25 min. 21 sec. E, 333.83 feet; thence run S 89 deg. 42 min. 59 sec. W, 652.83 feet to the West line of said Section 14, thence run along the West line of said Section 14, N 00 deg. 25 min. 21 sec. W, 333.83 feet to the Point of Beginning. Containing 5.00 acres more or less, all lying and being in Gilchrist County, Florida.

SUBJECT TO a county maintained limerock road (SW 80<sup>th</sup> Street) along the North margin thereof.

Section 3. All matters set forth in Article 2 and as prescribed elsewhere within the Gilchrist County Land Development Code applicable to Agriculture-2 Land Use or Zoning, shall be fully applicable to the real property described in this ordinance.

Section 4. Repealing Clause. All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 5. Inclusion in the Code; Scrivener's Error. It is the intention of the Board of County Commissioners of Gilchrist County, Florida, and it is hereby provided that the provisions of this ordinance shall become and be made part of the Land Development Code of Gilchrist County; that the sections of this ordinance may be renumbered or re-lettered by the codifier to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate designation. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or re-codified copy of the same with the Clerk of Court.

Section 6. Ordinance to be Liberally Construed. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 7. Severability. If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 8. Effective Date. A certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County

Commissioners. The effective date of this ordinance shall be 31 days after adoption unless the concurrently adopted Small-Scale amendment pursuant to Gilchrist County Ordinance 2021-01 passed of even date herewith is timely challenged within 30 days after its adoption. In that event, this amendment and ordinance shall not become effective until the state planning agency or the Administration Commission, respectively, issues a final order determining that the adopted Small-Scale development amendment is in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before Ordinance 2021-01 has become effective.

DULY ADOPTED in regular session this 3<sup>rd</sup> day of August, 2021.



ATTEST:

Todd Newton

Todd Newton,  
Clerk to the Gilchrist County Board of County Commissioners

BOARD OF COUNTY COMMISSIONERS OF  
GILCHRIST COUNTY, FLORIDA

By: Sharon A. Langford  
Sharon A. Langford, Chair