

ORDINANCE NO. 20-04

AN ORDINANCE OF UNION COUNTY, FLORIDA, AMENDING ORDINANCE NO. 95-04, AS AMENDED, ENTITLED THE UNION COUNTY LAND DEVELOPMENT REGULATIONS, PURSUANT TO AN APPLICATION, LDR 20-01, BY KEVIN J. CLARK, TO AMEND THE TEXT OF THE LAND DEVELOPMENT REGULATIONS, PROVIDING FOR AMENDING SECTION 4.8.5 ENTITLED SPECIAL EXCEPTIONS BY ADDING AIRPLANE LANDING FIELDS WITH A MINIMUM LOT SIZE OF TWENTY (20) ACRES AS A USE PERMITTED BY SPECIAL EXCEPTION WITHIN THE RESIDENTIAL, (MIXED) SINGLE FAMILY/MOBILE HOME-1 (RSF/MH-1) ZONING DISTRICT; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, as amended, empowers the Board of County Commissioners of Union County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce land development regulations;

WHEREAS, Sections 163.3161 through 163.3248, Florida Statutes, as amended, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Union County Comprehensive Plan, hereinafter referred to as the Comprehensive Plan;

WHEREAS, an application for an amendment, as described below, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Union County, Florida, hereinafter referred to as the Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Union County, Florida, hereinafter referred to as the Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, as amended, and Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board, and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board, and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, and recommended to the Board of County Commissioners approval of said application for an amendment, as described below;

WHEREAS, pursuant to Section 125.01, Florida Statutes, as amended, the Board of County Commissioners held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board, and the Local Planning Agency, concerning said application for an amendment, as described below;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, is consistent with the purposes and objectives of the comprehensive planning program and the Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, will further the purposes of the Land Development Regulations and other ordinances, regulations, and actions designed to implement the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, LDR 20-01, by Kevin J. Clark, to amend the text of the Land Development Regulations, Section 4.8.5 entitled "RSF/MH" Residential, (Mixed) Single Family/Mobile Home, Special Exceptions is hereby amended to read, as follows:

4.8.5 SPECIAL EXCEPTIONS  
(See also Articles 12 and 13)

RSF/MH-1, RSF/MH-2 and RSF/MH-3 districts.

1. Public or private schools offering curricula comparable to that of public schools (see Section 4.2).
2. Churches and other houses of worship.
3. Golf courses, country clubs, racquet and tennis clubs.
4. Cemeteries and mausoleums.
5. Private clubs and lodges.
6. Parks maintained by any private association of persons residing in the district.
7. Public buildings and facilities in keeping with the character and requirements of the district, except those otherwise specified (see Section 4.2).
8. Home occupations (see Section 4.2).
9. Child care centers, provided:
  - a. No outdoor play activities shall be conducted before 8 a.m. or after 8 p.m.; and
  - b. Provision is made for areas for offstreet pick-up and drop-off of children.
10. Commercial greenhouses and plant nurseries.

RSF/MH-1 district.

1. Airplane landing fields with a minimum lot size of twenty (20) acres.

Section 2. Severability. 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. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, as amended, 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. This ordinance shall become effective upon filing of the ordinance with the Florida Department of State.

Section 5. Authority. This ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, as amended, and Sections 163.3161 through 163.3248, Florida Statutes, as amended.

PASSED UPON FIRST READING on the 26th day of May 2020.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

Attest:

BOARD OF COUNTY COMMISSIONERS  
OF UNION COUNTY, FLORIDA

\_\_\_\_\_  
Kellie Hendricks Connell, County Clerk

\_\_\_\_\_  
Karen E. Cossey, Chair

First Reading Only



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2009 NW 67th Place, Gainesville, FL 32653-1603 • 352.955.2200

May 18, 2020

Ms. Dianne Hannon  
Secretary to the  
Board of County Commissioners  
Union County  
15 Northeast First Street  
Lake Butler, FL 32054

COPY SENT VIA ELECTRONIC MAIL  
SIGNED ORIGINAL ON FILE

RE: Application No. LDR 20-01 (Clark)

Ordinance  
Concerning an Amendment to the  
Text of the Land Development Regulations

Dear Diane:

Please find enclosed the above referenced ordinance for first reading only. Prior to the second reading of the ordinance, an ordinance for adoption and signature will be sent to the County.

The County Attorney should review the ordinance as to legal form and sufficiency.

If you have any questions concerning this matter, please do not hesitate to contact Sandra Joseph, Senior Planner, at 352.955.2200, ext. 111.

Sincerely,

Scott R. Koons, AICP  
Executive Director

Enclosure

SRK/cf

xc: Russell A. Wade, III, County Attorney  
James Williams, County Coordinator

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