

Ordinance No.: 02-26

AN ORDINANCE OF THE TOWN COUNCIL OF ORANGE PARK, FLORIDA, RELATING TO AN AMENDMENT OF THE TEXT AND MAP SERIES OF THE 2040 TOWN OF ORANGE PARK COMPREHENSIVE PLAN BASED UPON AN EVALUATION AND APPRAISAL REVIEW TO UPDATE THE PLANNING PERIOD, REFLECT CHANGES IN STATE REQUIREMENTS AND LOCAL CONDITIONS, INCORPORATE THE WATER SUPPLY FACILITIES WORK PLAN, AND BASED ON THE FLORIDACOMMERCE OBJECTIONS, RECOMMENDATIONS, AND COMMENTS REPORT REMOVE OBJECTIVE 2.7 (Volume 1, Goals, Objectives, and Policies) AND THE POLICIES RELATING THERETO, ALL PURSUANT TO THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** Sections 163.3161 through 163.3248, Florida Statutes, as amended, the Community Planning Act, empowers and requires the Town Council of the Town of Orange Park, Florida ("Town Council") to prepare, adopt and implement a comprehensive plan; and

**WHEREAS**, the Town Council has previously adopted the Orange Park 2040 Comprehensive Plan, Ordinance No. 19-18 on December 4, 2018 ("Comprehensive Plan"); and

**WHEREAS**, Section 163.3191, Florida Statutes, directs local governments to periodically assess the success or failure of the adopted Comprehensive Plan to adequately address changing conditions and state policies and rules; and

**WHEREAS**, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the Comprehensive Plan provides appropriate policy guidance for growth and development; and

**WHEREAS**, pursuant to Section 163.3191, Florida Statutes, the Town of Orange Park timely prepared and transmitted an evaluation and appraisal notification letter to FloridaCommerce; and

**WHEREAS**, the Town of Orange Park Planning and Zoning Board, acting as the designated Local Planning Agency, conducted the Evaluation and Appraisal Review (EAR), held three public hearings, provided for participation by the public in the process, and prepared amendments to the 2040 Comprehensive Plan, which amendments update the planning period, reflect changes in state law and local conditions, and incorporate the water supply facilities work plan (the "EAR-Based Amendments"), and

recommended the Town Council transmit the proposed EAR-Based Amendments to FloridaCommerce (the "Town's First EAR Submittal"); and

**WHEREAS,** the Town Council reviewed the Town's First Submittal, which included the EAR-Based Amendments and held an advertised public hearing on March 18, 2025, June 24, 2025, and July 15, 2025 in accordance with Chapters 166 and 163, Part III, Florida Statutes, and provided for comments and public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process and authorized transmittal to FloridaCommerce of the Town's First EAR Submittal; and

**WHEREAS,** on May 16, 2025, FloridaCommerce issued an Objections, Recommendations and Comments Report in response to the Town's First EAR Submittal whereby they identified one objection and two comments for compliance with Chapter 163, Part II, Florida Statutes; and

**WHEREAS,** to address FloridaCommerce's objection, the Town agrees to rescind Comprehensive Plan Volume 1, Goals, Objectives, and Policies adopted by Ordinance No. 11-25 and adopt a revised version that does not include Objective 2.7 (Volume 1, Goals, Objectives, and Policies) and its associated policies; and

**WHEREAS**, the Town Council hereby finds and determines that the Comprehensive Plan amendments to update the planning period, reflect changes in state requirements and local conditions, incorporate the water supply facilities work plan, and remove Objective 2.7 (Volume 1, Goals, Objectives, and Policies) and the policies relating thereto are internally consistent and consistent with the Town's Comprehensive Plan and it is in the best interests of the Town of Orange Park to amend the 2040 Comprehensive Plan for the Town of Orange Park as set forth herein.

**BE IT ORDAINED** by the Town Council of Orange Park:

**Section 1. Incorporation of Recitals.** The above recitals are incorporated as fully set herein.

**Section 2. Legislative Findings.** The proposed EAR-Based Amendments as more particularly described in **Exhibit A**, attached hereto and incorporated herein by reference, to update the planning period, reflect changes in state requirements and local conditions, incorporate the water supply facilities work plan, and remove Objective 2.7 (Volume 1, Goals, Objectives, and Policies) and the policies relating thereto, have been determined by the Town Council to promote the public health, safety and welfare, and is consistent with the requirements of Chapter 163, Florida Statutes, and all elements and volumes

(Volumes I-III) attached hereto constitute the 2045 Comprehensive Plan for the Town of Orange Park.

**Section 3. Data and Analysis.** The supporting data and analysis shall be transmitted to FloridaCommerce as Volume II of the 2045 Comprehensive Plan adopted by this Ordinance.

**Section 4. Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance for any reason is held to be unconstitutional, void or otherwise invalid, the validity of the remaining portions of this Ordinance shall not be affected by thereby.

**Section 5. Effective Date.** In accordance with Section 163.3184, Florida Statutes, the effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after FloridaCommerce notifies the Town that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date FloridaCommerce or the Administrative Commission enters a final order determining this adopted amendment to be 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 compliance is issued by the Administrative 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 FloridaCommerce.

Passed on first reading on this \_\_\_\_ day of \_\_\_\_\_, 2026.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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MAYOR

ATTEST:

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TOWN CLERK

FORM APPROVED:

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TOWN ATTORNEY