

ORDINANCE NO. 2024-___

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, TO AMEND TRA GOAL 5, TRA OBJ 5.1 AND TRA POLICY 5.1.1 TO REFLECT CHANGES TO PUBLIC AIRPORT REGULATIONS; PROVIDING FOR SEVERABILITY; 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 to reflect changes to public airport regulations in Chapter 333 of the Florida Statutes.

Be It Ordained by the Board of County Commissioners of Clay County:

Section 1. Clay County Ordinance No. 2018-31, as amended, is amended as provided in Section 2 hereof.

Section 2. The Transportation Element of the adopted 2040 Comprehensive Plan is hereby amended to reflect changes to public airport regulations in Chapter 333 of the Florida Statutes as follows:

TRA GOAL 5

Improvements to and operation of airport facilities shall be carried out in a manner which minimizes the impact on the environment and minimizes ~~the~~ potential conflicts between airport facilities and the area surrounding those facilities.

TRA OBJ 5.1

No obstructions to aircraft operations shall intersect any public or private airport facility's clear zones or the approach, transition, horizontal, and conical surfaces, with the exception of pre-existing private-use aircraft landing facilities.

TRA POLICY 5.1.1

The County will collaborate with Federal Aviation Administration and other appropriate agencies to manage residential densities and ~~develop construction~~ create development

standards for safety within public airport landing and surface areas, with the exception of pre-existing private-use aircraft landing facilities.

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 Planning and Zoning staff are authorized and directed within 10 days of the date of adoption of this Ordinance to transmit the proposed amendment package to the Florida Department of Commerce, and to other reviewing agencies, as specified in Section 163.3184, Florida Statutes.

Section 5. 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 Commerce 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 Commerce 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 _____, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Jim Renninger, Its Chair

ATTEST:

By: _____
Tara S. Green,
County Clerk of Court and Comptroller
Ex Officio Clerk to the Board

Exhibit "A"

~~TRA GOAL 5~~

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~~TRA OBJ 5.1~~

~~No obstructions to aircraft operations shall intersect any public or private airport facility's clear zones or the approach, transition, horizontal, and conical surfaces, with the exception of pre-existing private use aircraft landing facilities.~~

~~TRA POLICY 5.1.1~~

~~The County will collaborate with Federal Aviation Administration and other appropriate agencies to manage residential densities and develop construction create development standards for safety within public airport landing and surface areas, with the exception of pre-existing private use aircraft landing facilities.~~