

ORDINANCE O-4-2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF GREEN COVE SPRINGS, FLORIDA, BY ADDING FUTURE LAND USE OBJECTIVE 1.14 TO ADD SITE SPECIFIC DEVELOPMENT CONDITIONS FOR NEW DEVELOPMENT PROJECTS; AND ADDING FUTURE LAND USE POLICY 1.14.1 REGARDING SITE SPECIFIC DEVELOPMENT CONDITIONS RELATED TO FUTURE LAND USE AMENDMENT (ORDINANCE NO. O-03-2021) CHANGING THE FUTURE LAND USE FROM RURAL FRINGE & INDUSTRIAL (COUNTY) TO RESIDENTIAL LOW DENSITY FOR PROPERTY KNOWN AS THE AYRSHIRE DEVELOPMENT (PARCEL#016515-000-00) IDENTIFIED IN ATTACHMENT "A"; PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN EFFECTIVE DATE.

WHEREAS, Chapter 166, Florida Statutes, empowers the City Council of Green Cove Springs to prepare and enforce a Comprehensive Plan for the development of the City; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the City Council of Green Cove Springs to (a) plan for the City's future development and growth; (b) adopt and amend Comprehensive Plans, or elements or portions thereof, to guide the future growth and development of the City, (c) implement adopted or amended Comprehensive Plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purpose of the action; and

WHEREAS, the City Council believes adding site specific policies for Future Land Use Amendments related to new development projects are necessary to ensure the quality of life; and

WHEREAS, the City Council believes adding a site-specific policy related to Future Land Use Amendment (Ordinance No. O-03-2021) is necessary to ensure the City's adopted Level of Service, quality of life and to ensure compatibility with surrounding uses; and

WHEREAS, the City Council has been established pursuant to Article II of the City Charter of the City of Green Cove Springs duly adopted July 15, 1980; and

WHEREAS, the City Council, empowered by the above-cited laws and ordinances, and by Sections 163.3161 through 163.3215, Florida Statutes, prepared an amendment to the Comprehensive Plan 2025 to address more adequately and prepare for Green Cove Springs' future development and growth; and

WHEREAS, in exercise of its authority, the City Council of Green Cove Springs has determined it necessary and desirable to adopt the amendments to the Comprehensive Plan 2025 as identified in Attachment "A", to encourage the most appropriate use of land, water and resources, consistent with the public interest; to deal effectively with future problems that may result from the use and development of land within Green Cove Springs.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent and exercise the authority set out in the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 166, Florida Statutes, as amended.

Section 2. Adoption of Future Land Use Element Objective 1.14 and Policy 1.14.1, for the Comprehensive Plan 2025. The City Council of Green Cove Springs hereby adopts Future Land Use Element Objective 1.14 and Policy 1.14.1 of the Green Cove Springs Comprehensive Plan 2025 as specified in Attachment “A” attached hereto and by reference made a part hereof.

Section 3. Applicability and Effect. The applicability and effect of the amendments to the Green Cove Springs Comprehensive Plan 2025 shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and this Ordinance.

Section 4. Copy on file.

(a) A certified copy of the enacting ordinance, as well as certified copies of the amendments to the City of Green Cove Springs' Comprehensive Plan 2025 and any amendments thereof, shall be filed with the City Clerk of Green Cove Springs.

(b) To make amendments to the Comprehensive Plan 2025 available to the public, a certified copy of the enacting ordinance, as well as certified copies of the amended City of Green Cove Springs Comprehensive Plan 2025 and any amendments thereto, shall be located in the Planning and Zoning Department of the City of Green Cove Springs and shall be available to the public for a reasonable publication charge.

Section 5. Repealer. All ordinances or part of Ordinances in conflict herewith be and the same are hereby repealed.

Section 6. Severability. If any portion or portions of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions of this Ordinance shall remain in full force and effect.

Section 7. Effective Date. If this ordinance becomes effective, the effective date of the comprehensive plan text amendment adopted hereby shall be the later of:

a. The date that the amendment to the local government’s future land use map that is the subject of Ordinance No. O-03-2021 becomes effective; or

b. If this amendment is not timely challenged, the effective date shall be 31 days after the state land planning agency notifies the local government that this plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration 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 noncompliance is issued by the Administration 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 the state land planning agency at 107 East Madison Street, MSC 160, Tallahassee, Florida 32399-4120.

INTRODUCED AND PASSED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 18th DAY OF MAY, 2021.

CITY OF GREEN COVE SPRINGS, FLORIDA

By: _____
Mayor

ATTEST: _____
Erin West, City Clerk

PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 17th DAY OF AUGUST 2021.

CITY OF GREEN COVE SPRINGS, FLORIDA

By: _____
Mayor

ATTEST: _____
Erin West, City Clerk

APPROVED AS TO FORM ONLY:

L. J. Arnold, III, City Attorney

ATTACHMENT “A”

Objective 1.14 The City shall adopt, as necessary, Future Land Use Map Amendments with specific development conditions that are consistent with the City’s adopted Level of Service (LOS) standards and Future Land Use Element, and compatible with the surrounding uses.

Policy 1.14.1: Future Land Use Map (FLUM) Amendment adopted by Ordinance Number O-03-2021 for that portion of property within Clay County Parcel Identification No. 38-06-26-016515-000-00 located east of County Road 15A and west of U.S. Highway 17 (the “Property”) and changed the future land use designation from County Industrial and County Rural Fringe to Residential Low Density. The Property shall meet the requirements of all applicable goals, objectives, policies and map designations of the Comprehensive Plan; provided, however, land use/development potential for the Property made available by FLUM Amendment adopted by Ordinance No. 03-2021 is hereby limited as follows:

1. The Property shall be developed in accordance with a Planned Unit Development, as may be approved by the City in accordance with the City’s Land Development Regulations in effect at the time of the PUD application.
2. No more than 2,100 residential units can be developed within the Property.
3. Recreational facilities shall be provided commensurate with the City’s Level of Service standard for Recreation set forth in the Recreation and Open Space Element, Policy 6.3.4, of the Comprehensive Plan in effect at the time of the PUD application.
4. The Property owner/developer shall be required to pay a per-unit park improvement fee, the details of which shall be set forth in a development agreement for the Property as may be agreed to by and between the City and the Property owner/developer concurrently with the Property being annexed into the City boundaries (the “Development Agreement”).
5. The Property owner/developer will be required to provide the traffic mitigation agreed upon between the City and the Property owner/developer, based on the traffic analysis provided by the Property owner/developer. Such required traffic mitigation and other public facility improvements related to development of the Property will be set forth in the Development Agreement. Any required project mitigation shall be in conformance with applicable provisions of the City’s Code of Ordinances and with Section 163.3180, Florida Statutes).
6. Silvicultural and agricultural activities on that portion of the Property zoned Agriculture pursuant to the County’s Zoning Map (approximately 180 acres) in existence as of the effective date of Ordinance No. O-04-2021 shall be allowed until such time as horizontal construction begins on the Property or any portion thereof for the uses approved in the PUD.