

## **ORDINANCE NO. O-29-2024**

**AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA REZONING ±3.00 ACRES OF PROPERTY LOCATED IN THE 4600 BLOCK OF COUNTY ROAD 209, IDENTIFIED AS TAX ID NUMBER 016513-015-00, MORE PARTICULARLY DESCRIBED BY EXHIBIT “A”, FROM HEAVY INDUSTRIAL, 1B (COUNTY DESIGNATION), TO M-2, INDUSTRIAL; PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN EFFECTIVE DATE.**

### **RECITALS**

**WHEREAS**, the City has received a request to amend the Future Land Use Map for the subject parcel from Industrial (County) to Industrial; and

**WHEREAS**, if the City approved the Future Land Use Map amendment for the subject property it will be designated as Industrial on the Future Land Use Map of the City, and

**WHEREAS**, the City has received a request to rezone the subject parcel from Heavy Industrial (County) to Industrial District (M-2); and

**WHEREAS**, the City has the authority pursuant to its home rule and other statutory powers to rezone properties within the City; and

**WHEREAS**, a duly advertised public hearing was conducted on the proposed rezoning on September 24, 2024 by the Planning and Zoning Board, sitting as the Local Planning Agency (LPA) and the LPA reviewed and considered comments received during the public hearing concerning the application and made its recommendation for approval to the City Council; and,

**WHEREAS**, the City Council considered the recommendations of the LPA at a duly advertised public hearing on October 15, 2024 and November 12, 2024 and provided for and received public participation; and,

**WHEREAS**, the City Council has determined and found said application for the amendment, to be consistent with the City of Green Cove Springs Comprehensive Plan and Land Development Regulations; and,

**WHEREAS**, for reasons set forth in this Ordinance that is hereby adopted and incorporated as findings of fact, that the Green Cove Springs City Council finds and declares that the enactment of this amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

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

**Section 1. Zoning Map Amended.** The Zoning Map is hereby amended for the following property from Light Industrial (County) to Industrial District (M-2). A portion of Tax Parcel Number 38-06-26-016513-015-00 in accordance with the legal description found in Exhibit “A” and map found in Exhibit “B” attached hereto.

**Section 2. Ordinance to be Construed Liberally.** This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety and welfare of the citizens and residents of Green Cove Springs, Florida.

**Section 3. Repealing Clause.** All ordinance or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

**Section 4. Severability.** It is the declared intent of the City Council of the City of Green Cove Springs that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusions of such part or parts shall be deemed to be valid.

**Section 5. Effective Date.** The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the City that the plan amendment package is complete in accordance with Chapter 163.3184 F.S. If timely challenged, this amendment shall become effective on the date the state land planning agency, or the Administrative Council enters a final order determining this adopted amendment to be in compliance in accordance with Chapter 163.3184 F.S. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this plan amendment has become effective.

**INTRODUCED AND APPROVED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, ON THIS 15<sup>th</sup> DAY OF OCTOBER 2024.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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Steven R. Kelley, Mayor

ATTEST:

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Erin West, City Clerk

**PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 12<sup>th</sup> DAY OF NOVEMBER 2024.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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Steven R. Kelley, Mayor

ATTEST:

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Erin West, City Clerk

APPROVED AS TO FORM:

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L. J. Arnold, III, City Attorney

# **EXHIBIT “A”**

Tax Parcel Number 38-06-26-016513-015-00

## **LEGAL DESCRIPTION**

A portion of Blocks 14 and 21, Gould T. Butler’s survey of the Clinch Estate, according to plat thereof recorded in Plat Book 1, Pages 31, 32, 33, and 34, of the public records of Clay County, Florida, said parcel more particularly described as follows:

Commence at the intersection of the easterly line of the C5X Transportation Railroad with the northerly line of County Road No. 226; thence on said easterly line, North 21 degrees 54 minutes 47 seconds West, 4196.03 feet; thence North 68 degrees 05 minutes 13 seconds East, 494.74 feet to the southwest corner of those lands described in Official Records Book 2831, page 255 of said public records; thence on the westerly line thereof, North 09 degrees 27 minutes 50 seconds West, 606.38 feet to the northwest corner of said lands and the point of beginning; thence continue North 09 degrees 27 minutes 50 seconds West, 95.00 feet; thence North 80 degrees 51 minutes 00 seconds East, 102.26 feet; thence North 40 degrees 50 minutes 25 seconds East, 146.84 feet; thence North 18 degrees 22 minutes 44 seconds East, 56.57 feet; thence North 09 degrees 27 minutes 50 seconds West, 141.14 feet; thence North 80 degrees 32 minutes 10 seconds East, 262.00 feet to the southwesterly line of County Road No. 209; thence on said southwesterly line, South 09 degrees 27 minutes 50 seconds East, 379.38 feet to the northeast corner of said lands described in Official Records Book 2831, page 255; thence on the north line thereof, South 80 degrees 32 minutes 10 seconds West, 503.66 feet to the point of beginning.

# EXHIBIT "B"

