

## **ORDINANCE NO. O-05-2020**

**AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA REZONING ±3.8 ACRES OF PROPERTY LOCATED ON VERMONT AVE IDENTIFIED AS TAX ID NUMBERS 017642-000-00 AND 017648-000-00, MORE PARTICULARLY DESCRIBED BY EXHIBIT “A” AND SHOWN IN EXHIBIT “B”, FROM R-1 TO PUD, PLANNED UNIT DEVELOPMENT, SPECIFICALLY DESCRIBED HEREIN AND THROUGH EXHIBIT “C” SITE PLAN; PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN EFFECTIVE DATE.**

### **RECITALS**

**WHEREAS**, an application for a site-specific amendment to the Official Zoning Map, as described below, has been filed with the City by Brent White (“Agent”) on behalf of Graylon Oaks Land Trust (“Owner”); and

**WHEREAS**, the Owner desires to obtain approval for a Planned Unit Development (“PUD”) in the City known as Graylon Oaks Planned Unit Development (“PUD” or “Project”); and

**WHEREAS**, the Owner wishes to construct the Project, consisting of a fourteen (14) lot subdivision, at 016742-000-00 & 016748-000-00, the legal description for which is attached hereto as Exhibit “A” and is herein referred to as the “Property”; and

**WHEREAS**, a duly advertised quasi-judicial public hearing on the proposed amendment was conducted on March 26, 2020 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 duly advertised quasi-judicial public hearings on April 7, 2020 and April 21, 2020 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. Findings of Fact and Conclusions of Law.**

1. The above recitals are true and correct and incorporated herein by reference.
2. The proposed site-specific amendment to the Official Zoning Map is consistent with the Comprehensive Plan and Land Development Regulations.
3. The amendment will not cause a reduction in the adopted level of service standards for transportation, potable water, sanitary sewer, solid waste, stormwater, recreation, or public schools.

**Section 2. Official Zoning Map Amended.** The Official Zoning Map is hereby amended from Single Family Residential R-1 to Planned Unit Development, PUD, for Tax Parcel Numbers 38-06-26-016742-000-00 and 38-06-26-016748-000-00, in accordance with the legal description found in Exhibit "A" and map found in Exhibit "B" attached hereto and incorporated herein.

**Section 3. Development Parameters.** The development shall follow the parameters set forth in the PUD Written Description found in Exhibit "C", the PUD Site Plan found in Exhibit "D", and the elevations found in Exhibit "E" attached hereto and incorporated herein.

**Section 4. 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 5. Repealing Clause.** All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

**Section 6. 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 7. Effective Date.** This Ordinance shall be effective upon its passage and adoption on the second and final reading.

**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 7<sup>th</sup> DAY OF APRIL 2020.**

**FLORIDA**

**CITY OF GREEN COVE SPRINGS,**



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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 21<sup>ST</sup> DAY OF APRIL 2020.**

**FLORIDA**


**CITY OF GREEN COVE SPRINGS,**

  
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Steven R. Kelley, Mayor

ATTEST:

  
\_\_\_\_\_  
Erin West, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
L. J. Arnold, III, City Attorney

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION:**

LEGAL DESCRIPTION AS SHOWN ON OFFICIAL RECORD BOOK 2815 PAGE 524

A PARCEL OF LAND SITUATED IN LOT "C", BLOCK 102, PALMER AND FERRIS TRACT, GREEN COVE SPRINGS, CLAY COUNTY, FLORIDA, ACCORDING TO PLAT

THEREOF RECORDED IN PLAT BOOK 1, PAGE 44 OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA, SAID PARCEL BONG MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 1, ST. JOHNS MOBILE HOME VILLAGE, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 32 OF SAID PUBLIC RECORDS; THENCE ON THE WEST LINE OF VERMONT STREET RUN SOUTH 20 DEGREES 17 MINUTES 22 SECONDS EAST. 278.73 FEET TO THE SOUTH LINE OF SAID LOT "C"; THENCE ON SAID SOUTH LINE, SOUTH 64 DEGREE 00 MINUTES 00 SECONDS WEST, 429. 41 FEET TO THE WEST LINE OF SAID LOT "C"; THENCE ON SAID WEST LINE, NORTH 20 DEGREE 14 MINUTES 51 SECONDS WEST 326.09 FEET TO THE: SOUTH LINE OF SAID ST. JOHNS MOBILE HOME VILLAGE; THENCE ON SAID SOUTH LINE. NORTH 70 DEGREES 19 MINUTES 51 SECONDS EAST, 427.07 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION AS SHOWN ON OFFICIAL RECORD BOOK 2815 PAGE 522

BEGINNING AT THE SE CORNER OF HENRY LENDERS LAND THENCE RUNNING

EASTERLY SIX CHAINS ANO THIRTY SIX LINKS PARALLEL WITH CYLDEVIEW AVENUE TO VERMONT AVENUE, THENCE ALONG THE WEST SIDE OF VERMONT AVENUE NORTHERLY NINETY-SIX FEET, THENCE WESTERLY SIX CHAINS AND THIRTY-SIX LINKS TO H. LENDERS

EAST LINE, THENCE SOUTHERLY ALONG LENDERS EAST LINE ONE HUNDRED FEET TO THE PLACE OF BEGINNING; CONTAINING ONE ACRE MORE OR LESS, THE SAME BEING A PORTION OF A CERTAIN FOUR ACRE LOT CONVEYED BY WM. THOMPSON CO MRS. M.E. BEMIS BY DEED DATED DECEMBER 21ST, 1883, RECORDED IN BOOK "L" PAGES 605 & 606 OF THE PUBLIC RECORDS OF CLAY COUNTY. FLORIDA.

LESS AND EXCEPT OFFICIAL RECORDS BOOK 3331, PAGE 1520 PARCEL 1

A PARCEL OF LAND SITUATED IN LOT "A" AND LOT "B", BLOCK 102, PALMER AND

FERRIS TRACT, IN THE TOWN OF GREEN COVE SPRINGS, CLAY COUNTY, FLORIDA, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 1 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT "A", BLOCK 102, PALMER AND FERRIS TRACT IN THE TOWN OF GREEN COVE SPRINGS, AND RUN NORTH 64 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE SOUTH LINE OF LOT "A",

WHICH IS ALSO THE SOUTH LINE OF THE TOWN OF GREEN COVE SPRINGS,  
FOR A  
DISTANCE OF 79.83 FEET TO THE POINT OF BEGINNING: THENCE CONTINUE  
ON LAST SAID LINE NORTH 64 DEGREES 00 MINUTES 00 SECONDS EAST, 30.17  
FEET; THENCE NORTH 20 DEGREES 00 MINUTES 00 SECONDS WEST, 211.16  
FEET; THENCE  
SOUTH 64 DEGREES 00 MINUTES 00 SECONDS WEST, 110. 21 FEET TO THE  
WEST LINE OF SAID  
LOT "B"; THENCE ON LAST SAID LINE, AND ON THE WEST LINE OF SAID LOT  
"A", SOUTH 20 DEGREES 00 MINUTES 00 SECONDS EAST, 100.55 FEET; THENCE  
NORTH 64 DEGREES 00 MINUTES 00 SECONDS EAST, 79.83 FEET; THENCE  
SOUTH 20 DEGREES 00 MINUTES 00 SECONDS EAST, 110.61 FEET TO THE POINT  
OF BEGINNING.

CONTAINING 3.8 ACRES, MORE OR LESS.

SAID LANDS SITUATED, LYING AND BEING IN CLAY COUNTY, FLORIDA.



# EXHIBIT “C”

## PUD Written Description

Graylon Oaks PUD Written Description

**Type of Development:**        **Two- Family Residential or Single Family Residential**

### **PROPERTY CHARACTERISTICS**

*Vegetation, Soils, & Drainage:*

Vegetation on the site consists of large oak trees, laurel oaks, cabbage palms, saw palmetto bushes and pine. There are no wetlands onsite. Site has sandy soils throughout with site sloping from west to east to Vermont St. Site has a topography of 51’ to the west and dropping to 39’ to the east fronting Vermont St.

*Utilities:*

Central water and wastewater service will be provided by the City of Green Cove Springs; electric service will be provided by the City of Green Cove Springs and shall be installed underground.

### **ACREAGE SUMMARY**

Total Property	3.8 Acres
Wetlands	0 Acres
<b>DEVELOPABLE</b>	<b>3.8 Acres</b>

### **MAXIMUM UNITS**

Maximum units	30 units
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### **Proposed development**

#### ***Residential Single Family & Two- Family Development***

The property is consistent with the land use and zoning of the surrounding areas. The character of the proposed development is consistent with those of adjacent multi-family residential developments on Vermont Ave and abutting State Road 16. The parcels directly adjacent to the east and north currently have high-density land use and R-3 zoning. In addition, the subject



property is consistent with other similar properties in the surrounding areas of the city and is in conformity with local land use plans and zoning ordinances. The subject property will also create a much-needed affordable housing neighborhood that will have a great economic and fiscal benefit to the area and the community. The affordable housing community can be achievable by allowing a higher density similar to that of the adjacent properties.

**Access**

Access is provided from Vermont Ave. The subdivision will not be gated and roads within the development will be turned over to the city and would meet city requirements.

**Proposed Density Standards**

**Residential- Single Family Dwelling**

Minimum Lot Area	5000SF
Minimum Lot Width	50 Feet
Minimum Lot Depth	100 Feet
Minimum Living Area	1200 SF
Maximum Lot Coverage	40%

**Residential- Two Family Dwelling**

Minimum Lot Area	6000 SF
Minimum Lot Width	60 feet
Minimum Lot Depth	100 feet
Minimum required living area	1000 SF
Maximum Lot Coverage	40%

**Yard Requirements – Primary Structures\***

Front Porch	15 feet
Front Façade	20 feet
Side	7.5 feet; combined 15 feet
Rear	10 feet
Max Building Height- Primary Structures	35 feet

\*All corner lots have two front yards. However, structures oriented parallel to a street must have the required front yard on such street, but the front yard on the remaining street may be 15 feet.

### **Permitted Uses**

- a. Single family detached residential dwelling units
- b. Two family residential dwelling units
- c. Home occupations (pursuant to City Code Requirements)

### **Ingress, Egress and Circulation**

- a. Minimum of 2 parking spaces per dwelling unit (4 per duplex). One parking space will be in driveway and one will be in the attached garage.
- b. The dimension of each driveway must be 10' x 20'.
- c. Each unit must include an attached garage at least 10' x 20'.
- d. There will be a 6' sidewalk along proposed street and along Vermont Avenue.

### **Landscaping**

Landscaping per Section 113-244 of the Land Development Regulations

- a. Landscape requirements for each one or two-family dwelling (duplex) shall be as follows:
  1. At least one canopy tree, 2.5 inches DBH, shall be located in the required front yard of each dwelling unit. Each duplex will have two canopy trees.
- b. Perimeter Landscaping shall be as follows:
  1. Provide additional perimeter landscaping along Vermont Avenue with one new shade tree per 50' of road frontage subject to the requirements of Sec. 113-244(d)(3) and installation and maintenance requirements set forth in Section 113-247(b).
  2. A minimum of 4 understory/subcanopy trees shall be planted around the intersection of Vermont and the proposed new roadway
  3. Provide the following buffer to the south and west of the property:
    - A) Single-Family development:
      - Provide a 10' landscape buffer of one new shade tree every 50 feet of width and nine (9) shrubs every 100 feet of width adjacent to properties subject to the requirements set forth in Section 113-244(d)(3) and installation and maintenance requirements set forth in Sec. 113-247(b). Or
      - Provide an opaque privacy fence, 6' in height and a landscape buffer of one new canopy tree every 50 feet of width on the subject property side of the fence , subject to the buffer and landscape

design requirements set forth in Section 113-244(d)(3) and 113-247 of the City's Land Development Code.

**B) Two-Family Development:**

- Provide a 20' landscape buffer of one new shade tree every 50 feet of width and nine (9) shrubs every 100 feet of width adjacent to properties subject to the requirements set forth in Section 113-244(d)(3) and installation and maintenance requirements set forth in Sec. 113-247(b). Or
- Provide an opaque privacy fence, 6' in height and a landscape buffer of one new canopy tree every 50 feet of width on the subject property side of the fence, subject to the buffer and landscape design requirements set forth in Section 113-244(d)(3) and 113-247 of the City's Land Development Code.

**Tree Survey**

- a. A tree survey measuring trees 12" or greater shall be required as part of the subdivision review. Tree removal mitigation will be required as stipulated in City Code Section 113279

**Tree Preservation**

1. Trees to be preserved onsite:
  - a. Live Oak Trees
  - b. The rear 20' along the south and west property lines shall be kept in a natural condition with all canopy/shade trees preserved
  - c. Viable shade/canopy trees within 15' of Vermont Avenue shall be preserved.
  
2. Tree protections requirements shall comply with Section 113-248, and in addition: an ISA certified arborist or equivalent horticulture professional shall be hired to evaluate trees to be saved, ensure adequate root area is provided and grade changes are not altered within critical root area, prescribe treatments to preserve the trees and oversee tree protection during the construction process. Trees or branches of trees that are adjacent to or hanging over into adjacent neighboring properties shall be evaluated for safety by the certified arborist and removed or appropriately pruned or other measures as required by the certified arborist.

**Miscellaneous**

Development requirements not specifically mentioned shall be consistent with all requirements for the City of Green Cove Springs R-2 Zoning district and all other applicable Land Development Code Requirements

**Development Plan**

The project will be developed in a single phase. The required right of way buffers shall be constructed by the developer and completed prior to the issuance of a certificate of occupancy for any residential dwelling not constructed as a model unit within the subdivision.

All common areas and stormwater management facilities /drainage areas shall be maintained by a legally established Homeowner's or Property Owner's Association. All finalized legal documents demonstrating the creation of the HOA or POA and its responsibilities must be submitted with the Final Plat submittal for the Graylon Oaks PUD.

Stormwater analysis shall be required with the subdivision application that demonstrates consistency with the City of Green Cove Springs and St Johns River Water Management District requirements.

Regulations regarding Guarantees and Sureties as stipulated in Chapter 101, Article II, Division 5 and Subdivision 5 shall be provided as part of the subdivision approval process.



## EXHIBIT “E” Elevations

