

ORDINANCE NO. O-05-2023

AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA AMENDING THE FUTURE LAND USE MAP FOR ±28.81 ACRES OF REAL PROPERTY GENERALLY LOCATED ON CR 209 AND US 17, IDENTIFIED AS OF A PORTION OF TAX ID NUMBER 016513-000-00 MORE PARTICULARLY DESCRIBED BY EXHIBIT “A”, FROM INDUSTRIAL (COUNTY DESIGNATION), TO MIXED-USE; PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN EFFECTIVE DATE.

RECITALS

WHEREAS, an application for a large-scale comprehensive plan amendment, as described below, to the Comprehensive Plan Future Land Use Map has been filed with the City; and

WHEREAS, a duly advertised public hearing was conducted on the proposed amendment on February 28, 2023 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 hearings on March 7, 2023 and March 21, 2023 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 Future Land Use Map amendment is consistent with the Comprehensive Plan.

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. Comprehensive Plan Future Land Use Map Amended. The Comprehensive Plan Future Land Use Map is hereby amended from Industrial (County) to Mixed Use on Tax Parcel Number 38-06-26-016513-013-00 and a portion of Tax Parcel Number 38-06-26-016513-000-00 in accordance with the legal description found in Exhibit “A” and map found in Exhibit “B” attached hereto.

Section 3. 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 4. Repealing Clause. All ordinance or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 5. 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 6. 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 7th DAY OF MARCH 2023.

CITY OF GREEN COVE SPRINGS, FLORIDA

Daniel M Johnson, 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 21ST DAY OF MARCH 2023.

CITY OF GREEN COVE SPRINGS, FLORIDA

Daniel M Johnson, Mayor

ATTEST:

Erin West, City Clerk

APPROVED AS TO FORM:

L. J. Arnold, III, City Attorney




Parcel "B"

A parcel of land consisting of a portion of Blocks 13, 14, 21 and 22, Gould T. Butler's survey of the Clinch Estate, Clay County, Florida, according to plat thereof recorded in Plat Book 1, pages 31, 32, 33 and 34 of the public records of said county, said parcel being more particularly described as follows:

Begin at the intersection of the easterly line of the CSX Transportation Railroad with the southeasterly line of State Road No. 15 (U.S. Highway No. 17); thence run South 50 degrees 43 minutes 14 seconds East, 58.07 feet; thence North 70 degrees 59 minutes 11 seconds East, 211.35 feet; thence North 89 degrees 05 minutes 29 seconds East, 195.17 feet; thence South 26 degrees 43 minutes 04 seconds East, 109.18 feet; thence South 02 degrees 35 minutes 13 seconds West, 142.81 feet; thence southwesterly on the arc of a curve concave northwesterly and having a radius of 25.00 feet an arc distance of 31.80 feet, said arc being subtended by a chord bearing and distance of South 39 degrees 02 minutes 05 seconds West, 29.70 feet; thence southwesterly on the arc of a curve concave southeasterly and having a radius of 60.00 feet, an arc distance of 31.09 feet, said arc being subtended by a chord bearing and distance of South 60 degrees 38 minutes 20 seconds West, 30.74 feet; thence North 84 degrees 28 minutes 49 seconds West, 134.91 feet; thence South 80 degrees 28 minutes 17 seconds West, 199.65 feet to said easterly line of the CSX Transportation Railroad; thence on said easterly line, South 21 degrees 54 minutes 47 seconds East, 941.72 feet to the northerly line of State Road No. 23; thence easterly on said northerly line and along the arc of a curve concave northerly and having a radius of 2,771.00 feet, an arc distance of 242.09 feet, said arc being subtended by a chord bearing and distance of North 69 degrees 57 minutes 31 seconds East, 242.01 feet; thence North 30 degrees 03 minutes 02 seconds West, 114.01 feet; thence North 09 degrees 09 minutes 07 seconds West, 225.92 feet; thence North 78 degrees 03 minutes 34 seconds East, 60.10 feet; thence easterly, on the arc of a curve concave southerly and having a radius of 20.00 feet, an arc distance of 42.21 feet, said arc being subtended by a chord bearing and distance of North 86 degrees 31 minutes 49 seconds East, 34.80 feet; thence South 29 degrees 57 minutes 49 seconds East, 47.60 feet; thence South 23 degrees 28 minutes 05 seconds East, 28.14 feet; thence South 57 degrees 51 minutes 19 seconds East, 17.06 feet; thence North 42 degrees 55 minutes 00 seconds East, 73.43 feet; thence North 07 degrees 25 minutes 45 seconds West, 60.07 feet; thence North 51 degrees 50 minutes 27 seconds West, 39.03 feet; thence North 39 degrees 56 minutes 10 seconds East, 37.28 feet; thence North 08 degrees 59 minutes 48 seconds East, 54.41 feet; thence North 33 degrees 56 minutes 56 seconds East, 27.20 feet; thence North 07 degrees 02 minutes 24 seconds West, 36.21 feet; thence North 45 degrees 17 minutes 54 seconds West, 169.48 feet; thence North 53 degrees 21 minutes 28 seconds West, 32.13 feet; thence South 70 degrees 59 minutes 30 seconds West, 84.92 feet; thence North 32 degrees 09 minutes 22 seconds West, 63.90 feet; thence North 08 degrees 22 minutes 05 seconds West, 27.38 feet; thence northerly on the arc of a curve concave westerly and having a radius of 60.00 feet, an arc distance of 37.65 feet, said arc being subtended by a chord bearing and distance of North 20 degrees 34 minutes 05 seconds East, 37.04 feet; thence North 02 degrees 35 minutes 13 seconds East, 256.81 feet; thence northerly on the arc of a curve concave easterly and having a radius of 700.00 feet an arc distance of 179.34 feet, said arc being subtended by a chord bearing and distance of North 09 degrees 55 minutes 36 seconds East, 178.85 feet; thence North 86 degrees 31 minutes 04 seconds East, 225.31 feet; thence North 30 degrees

53 minutes 05 seconds East, 140.60 feet; thence North 57 degrees 00 minutes 46 seconds East, 193.01 feet; thence North 79 degrees 41 minutes 16 seconds East, 124.10 feet to the westerly line of County Road No. 209; thence on said westerly line, thence North 28 degrees 14 minutes 50 seconds West, 1,431.58 feet; thence continue on said westerly line, North 35 degrees 13 minutes 29 seconds West, 123.97 feet; thence South 88 degrees 35 minutes 40 seconds West, 42.34 feet to said easterly line of State Road No. 15; thence on said easterly line and along the arc of a curve concave westerly and having a radius of 3014.79 feet, an arc distance of 420.94 feet, said arc being subtended by a chord bearing and distance of South 01 degree 05 minutes 36 seconds East, 420.59 feet; thence continue on said easterly line, South 04 degrees 52 minutes 27 seconds West, 421.91 feet; thence continue on said easterly line and along the arc of a curve concave westerly and having a radius of 3029.79 feet, an arc distance of 991.46 feet to the point of beginning, said arc being subtended by a chord bearing and distance of South 20 degrees 16 minutes 52 seconds West, 987.04 feet; being 28.81 acres, more or less, in area.

City Future Land Use

-  Downtown
-  Industrial
-  Mixed-Use
-  Mixed-Use RP
-  Neighborhood
-  Public

