

ORDINANCE NO. O-07-2022

AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA REZONING ±21.89 ACRES OF PROPERTY, A PORTION OF PARCEL ID NUMBER 016515-008-00, MORE PARTICULARLY DESCRIBED BY EXHIBIT “A”, FROM PLANNED UNIT DEVELOPMENT TO RECREATION; 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 Neighborhood to Public; and

WHEREAS, the City approved the Future Land Use Map amendment for the subject property such that it will be designated as Public on the Future Land Use Map of the City, and

WHEREAS, the City has received a request to rezone the subject parcel from Planned Unit Development (PUD) to Recreation; 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 amendment on March 22, 2022 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 April 19, 2022 and May 3, 2022 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 PUD to Recreation:

A portion of Tax Parcel ID# 38-06-26-016515-008-00, 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 34. 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. This Ordinance shall become effective upon passage.

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 19th DAY OF APRIL 2022.

CITY OF GREEN COVE SPRINGS, FLORIDA

Edward R. Gaw, 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 3RD DAY OF MAY 2022.

CITY OF GREEN COVE SPRINGS, FLORIDA

Edward R. Gaw, Mayor

ATTEST:

Erin West, City Clerk

APPROVED AS TO FORM:

L. J. Arnold, III, City Attorney

EXHIBIT “A”

A portion of Tax Parcel Number 38-06-26-016515-008-00

LEGAL DESCRIPTION

A portion of Section 38 of the George I.F. Clarke Grant, Township 6 South, Range 26 East, Clay County, Florida, being a portion of those lands described and recorded in Official Records Book 1545, page 513, of the Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Southerly right of way line of Green Cove Avenue, a variable width right of way as presently established, with the Westerly right of way line of CSX Railroad, a 100 foot right of way as presently established; thence South $21^{\circ}54'49''$ East, along said Westerly right of way line, 2927.14 feet to the Southeast corner of those lands described as Parcel “A” and recorded in Official Records Book 3316, page 1098, of said Public Records; thence North $77^{\circ}06'26''$ West, departing said Westerly right of way line and along the Southerly line of said Parcel “A”, 1313.50 feet to the Point of Beginning.

From said Point of Beginning, thence South $12^{\circ}52'16''$ West, departing said Southerly line, 142.67 feet to the point of curvature of a curve concave Westerly having a radius of 950.00 feet; thence Southerly along the arc of said curve, through a central angle of $06^{\circ}31'27''$, an arc length of 108.17 feet to a point of compound curvature, said arc being subtended by a chord bearing and distance of South $16^{\circ}08'00''$ West, 108.12 feet; thence Southwesterly along the arc of a curve concave Northwesterly having a radius of 120.00 feet, through a central angle of $87^{\circ}21'29''$, an arc length of 182.96 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South $63^{\circ}04'27''$ West, 165.75 feet; thence South $31^{\circ}37'11''$ West, along a non-tangent line, 86.00 feet; thence South $60^{\circ}40'11''$ East, 35.15 feet; thence South $27^{\circ}02'28''$ West, 20.00 feet; thence South $49^{\circ}36'09''$ West, 172.16 feet; thence North $77^{\circ}07'44''$ West, 945.04 feet to a point on a non-tangent curve concave Southwesterly having a radius of 175.00 feet; thence Northwesterly along the arc of said curve, through a central angle of $67^{\circ}09'24''$, an arc length of 205.12 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $51^{\circ}03'13''$ West, 193.58 feet; thence North $05^{\circ}22'04''$ East, along a non-tangent line, 24.76 feet to a point on a non-tangent curve concave Southerly having a radius of 198.38 feet; thence Westerly along the arc of said curve, through a central angle of $47^{\circ}45'50''$, an arc length of 165.38 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South $73^{\circ}41'49''$ West, 160.63 feet; thence South $41^{\circ}22'44''$ East, along a non-tangent line, 29.96 feet to a point on a non-tangent curve concave Southeasterly having a radius of 175.00 feet; thence Southwesterly along the arc of said curve, through a central angle of $16^{\circ}53'45''$, an arc length of 51.61 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South $40^{\circ}10'24''$ West, 51.42 feet; thence North $58^{\circ}16'29''$ West, along a non-tangent line, 30.00 feet to a point lying on the Westerly line of those lands described and recorded in Official Records Book 3863, page 203, of said Public Records; thence Westerly and Northerly along said Westerly line the following 3 courses: Course 1, thence North $73^{\circ}46'32''$ West, 158.11 feet; Course 2, thence North $13^{\circ}06'51''$ East, 477.10 feet; Course 3, thence North $10^{\circ}55'57''$ East, 105.79 feet to a point lying on said

Southerly line of Parcel "A"; thence Easterly along said Southerly line the following 3 courses: Course 1, thence South 77°17'55" East, 42.83 feet; Course 2, thence North 08°55'45" East, 36.14 feet; Course 3, thence South 77°06'26" East, 1644.39 feet to the Point of Beginning.

Containing 21.89 acres, more or less.

EXHIBIT "B"

