

## **ORDINANCE NO. O-10-2024**

**AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA REZONING ±112 ACRES OF PROPERTY LOCATED ON THE SOUTHEAST CORNER OF US 17 AND SR 16, IDENTIFIED AS TAX ID NUMBER 016451-003-00 AND 016451-000-00, MORE PARTICULARLY DESCRIBED BY EXHIBIT “A”, FROM C-2, GENERAL COMMERCIAL TO PUD, PLANNED UNIT DEVELOPMENT.**

**WHEREAS**, the City has received a request to rezone the subject parcel from C-2 General Commercial Residential to PUD, Planned Unit Development 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 April 30, 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 May 21, 2024 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 THE CITY OF GREEN COVE SPRINGS, FLORIDA AS FOLLOWS:**

**Section 1. Zoning Map Amended.** The Zoning Map is hereby amended for the following property from C-2 General Commercial to Planned Unit Development (PUD).

Tax Parcel ID# 016451-003-00 and 016451-000-00, 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.** 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 7th DAY OF MAY 2024.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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Constance Butler, 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 OFMAY 2024**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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, 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

Legal Discription

Parcel "A"

A tract of land in the G.I.F. Clark Grant, Section 38, Township 6 South, Range 26 East, Clay County, Florida, being a part of Section 39 and 46 and part of Lots 2, 3, 4, 5 and 6, Block 1, Gould T. Butlers survey of the Clinch Estate, according to plat recorded in Plat Book 1, pages 31 through 34 of the public records of said county, together with part of Block 3, and Lots 2, 3, 4, 5, 7, 8, 9, 10, 11, 12 and part of Lots 1, 6 and 13, Block 4, and part of Lots 5, 6, 7, 8, 9 and 10, Block 1, according to plat of South Green Cove Springs, recorded in said records in Deed Book "Z", page 748, also part of Lightwood Avenue, part of River Road, part of Plametto Street and part of Chestnut Avenue, as shown on both of said plats, said parcel being more particularly described as follows:

Begin at the intersection of the southerly line of State Road No. 16 with the easterly line of State Road No. 15; thence on the southerly line of State Road No. 16, North 79 degrees 05 minutes 46 seconds East, 2,150.00 feet; thence South 27 degrees 10 minutes 14 seconds East 1,072.54 feet; thence South 10 degrees 17 minutes 16 seconds West, 1,460.00 feet; thence North 89 degrees 32 minutes 05 seconds West, 2,201.92 feet; thence on the easterly line of State Road No. 15, North 10 degrees 18 minutes 05 seconds East, 243.41 feet; thence northerly 1,354.72 feet along the arc of a curve concave to the west and having a radius of 2,924.79 feet, said arc being a portion of the easterly line of State Road No. 15; thence continue along last said easterly line, North 16 degrees 14 minutes 14 seconds West, 401.87 feet to the point of beginning.

EXCEPTING THE FOLLOWING:

- (1) A strip of land 100 feet wide lying 50 feet on either side of the centerline line of ACL Railroad spur tracks as presently located across the southeast portion of said Parcel "A".
- (2) A parcel of land in Lot 13, Block 4, South Green Cove Springs, comprising approximately one acres, as more particularly described in deed recorded in Deed Book 48, page 456, EXCEPT that portion lying within the right-of-way of U.S. Highway No. 17.

Parcel "C"

From the intersection of railroad on Spring Avenue with Green Cove Walkill and West Toco Road in the center of road, North 10 degrees East, 1672 feet; thence from center of Road South 80 degrees East to the beginning corner, 40 feet; thence continue South 80 degrees East, 210 feet; thence North 10 degrees East, 210 Feet; thence North 80 degrees West, 210 feet; thence South 10 degrees West, 210 feet to the beginning corner, containing one acre in Block 4, South Green Cove Springs, as recorded in the public records of Clay County, Florida, Excepting therefrom that portion lying within the right-of-way of U.S. Highway No. 17.

For: HKM Investments, LLC

Parcel Number— 38-06-26-016451-000-00 and 06451-003-00

EXHIBIT B



Zoning

- R1 Low Density Residential
- R2 Medium Density Residential
- R3 High Density Residential
- RRF Residential Riverfront
- PUD Planned Unit Development
- RPO Residential Professional Office
- C1 Commercial Medium Intensity
- C2 Commercial High Intensity
- CBD Central Business District
- GCC Gateway Corridor Commercial
- GCN Gateway Corridor Neighborhood
- GCR Gateway Corridor Residential
- M-2 Industrial District
- M-1 Light Industrial District
- MUH C-2/M-2 - Mixed Use
- INS Institutional
- RC Recreation

