

ORDINANCE NO. O-01-2024

AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA AMENDING THE FUTURE LAND USE MAP FOR ±15 ACRES OF REAL PROPERTY GENERALLY LOCATED ON OFF OF THE SOUTHEAST CORNER OF LEONARD C TAYLOR PARKWAY AND US 17, IDENTIFIED AS TAX ID NUMBER 016541-000-00 AND ±43.12 ACRES OF PROPERTY LOCATED AT LEONARD C TAYLOR PARKWAY, IDENTIFIED AS A PORTION OF TAX ID NUMBER 016451-003-00, MORE PARTICULARLY DESCRIBED BY EXHIBIT “A”, FROM MIXED USE TO INDUSTRIAL AND; 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 January 23, 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 hearings on February 6, 2024, June 18, and July 16, 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. 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 Mixed Use to Industrial on a portion of Tax Parcel Number 38-06-26-016541-003-00 and Tax Parcel Number 38-06-26-016541-000-00 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 6th DAY OF FEBRUARY 2024.

CITY OF GREEN COVE SPRINGS, FLORIDA

Constance Butler, 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 16TH DAY OF JULY 2024.
CITY OF GREEN COVE SPRINGS, FLORIDA

Steven R Kelley, Mayor

ATTEST:

Erin West, City Clerk

APPROVED AS TO FORM:

L. J. Arnold, III, City Attorney

EXHIBIT "A"

EXHIBIT "A"

A parcel of land situated in the G.I.F. Clark Grant, Section 38, Township 6 South, Range 26 East, Clay County, Florida, being a part of Lots 3, 4 and 5, Block 1, Gould T. Butler's survey of the Clinch Estate, according to plat thereof, recorded in Plat Book 1 pages 31 through 34 of the public records of said County, together with part of Lots 2, 3, 4 and 5, Block 4, South Green Cove Springs, according to map thereof recorded in Deed Book "Z" page 748 of said public records, and a portion of River Road as shown on said plats, said parcel being more particularly described as follows:

Commence at the intersection of the Easterly right of way line of State Road No. 15 (U.S. Highway No. 17) with the Southerly line of State Road No. 16; thence on said Southerly line, North 79 degrees 05 minutes 46 seconds East, 678.00 feet; thence South 10 degrees 54 minutes 14 seconds East, 370.00 feet to the Point of Beginning; thence continue South 10 degrees 54 minutes 14 seconds East, 398.00 feet; thence North 79 degrees 05 minutes 46 seconds East, 27.00 feet; thence South 10 degrees 54 minutes 14 seconds East, 262.70 feet; thence North 79 degrees 05 minutes 46 seconds East, 918.22 feet; thence North 34 degrees 26 minutes 00 seconds East, 97.16 feet; thence North 10 degrees 54 minutes 14 seconds West, 258.24 feet; thence South 79 degrees 05 minutes 46 seconds West, 86.77 feet; thence North 10 degrees 54 minutes 14 seconds West, 379.17 feet; thence South 79 degrees 05 minutes 46 seconds West, 481.82 feet; thence South 10 degrees 54 minutes 14 seconds East, 45.00 feet; thence South 79 degrees 05 minutes 46 seconds West, 445.74 feet to the point of beginning.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT DESCRIBED AS FOLLOWS:

Easement "A-2"

An easement for ingress, egress and utilities covering a parcel of land consisting of a portion of Block 1, Gould T. Butlers survey of the Clinch Estate, Clay County, Florida, according to plat thereof recorded in Plat Book 1, pages 31 through 34 of the public records of said county, a portion of Block 4, South Green Cove Springs, according to plat thereof recorded in Deed Book "Z", page 748 of said public records, and a portion of River Road as shown on said plats, said parcel being more particularly described as follows:

Commence at the intersection of the Easterly right of way line of State Road No. 15 (U.S. Highway No. 17) with the Southerly R/W line of State Road No. 16; thence on said Southerly R/W line, North 79 degrees 05 minutes 46 seconds East, 1277.20 feet to the Point of Beginning; thence continue on said Southerly R/W line, North 79 degrees 05 minutes 46 seconds East 30.00 feet; thence South 10 degrees 54 minutes 14 seconds East, 325.00 feet; thence South 79 degrees 05 minutes 46 seconds West, 30.00 feet; thence North 10 degrees 54 minutes 14 seconds West, 325.00 feet to the point of beginning.

EXHIBIT "A"

MAP OF

Parcel "A"

A tract of land in the G.F. Clark Grant, Section 35, Township 6 South, Range 26 East, Clay County, Florida, being a part of Sections 39 and part of Lots 2 and 3, Block 1, Gold T. Butler's survey of the Clark Estate, according to plat recorded in Plat Book 1, pages 31 through 34 of the public records of said county, together with part of Lots 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12 and 13, Block 4, and part of Lots 8 and 9, Block 1, according to plat of South Green Cove Springs recorded in said records in Deed Book "Z", page 748, also part of River Road, part of Palmetto Street and part of Chestnut Avenue, as shown on both of said plats, said parcel being more particularly described as follows:

Commence 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, 958.08 feet to the northwesterly line of a CSX Transportation Spur Tract as described in Official Records Book 75, page 87 of said public records; thence on said northwesterly line, South 34 degrees 26 minutes 00 seconds West, 157.88 feet to the point of beginning; thence continue on said northwesterly line, South 34 degrees 26 minutes 00 seconds West, 1,699.00 feet; thence North 89 degrees 32 minutes 05 seconds West, 142.45 feet; thence North 10 degrees 51 minutes 41 seconds West, 789.91 feet; thence South 78 degrees 30 minutes 34 seconds West, 490.80 feet; thence North 11 degrees 29 minutes 28 seconds West, 407.11 feet; thence South 79 degrees 01 minute 50 seconds West, 103.02 feet; thence North 10 degrees 58 minutes 10 seconds West, 599.78 feet; thence North 79 degrees 30 minutes 26 seconds East, 367.10 feet to the southwesterly line of those lands described in Official Records Book 4538, page 312 of said public records; thence on said southwesterly line, South 10 degrees 54 minutes 14 seconds East, 369.96 feet; thence continue on said southwesterly line, North 79 degrees 05 minutes 46 seconds East, 27.00 feet; thence continue on said southwesterly line, South 10 degrees 54 minutes 14 seconds East, 262.70 feet to the southeasterly line thereof; thence on said southeasterly line, and on a northeasterly extension thereof, North 79 degrees 05 minutes 46 seconds East, 1,601.08 feet to the point of beginning; being 31.23 acres, more or less, in area.

Parcel "B"

A tract of land in the G.F. Clark Grant, Section 35, Township 6 South, Range 26 East, Clay County, Florida, being a part of Sections 39 and part of Lot 6, Block 1, Gold T. Butler's survey of the Clark Estate, according to plat recorded in Plat Book 1, pages 31 through 34 of the public records of said county, together with part of Lots 7 and 8, Block 4, and part of Lots 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 and part of Chestnut Avenue, as shown on both of said plats, said parcel being more particularly described as follows:

Commence 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, 1,071.76 feet to the southeasterly line of a CSX Transportation Railroad Spur Track as described in Official Records Book 75, page 87 of said public records and the point of beginning; thence continue South 27 degrees 10 minutes 14 seconds East, 0.78 feet to the westerly line of those lands described in Official Records Book 111, page 125 of said public records; thence on said westerly line, South 10 degrees 17 minutes 16 seconds West, 1,460.00 feet; thence North 89 degrees 32 minutes 05 seconds West, 720.94 feet to said southeasterly line of CSX Transportation Spur Track; thence on said southeasterly line, North 34 degrees 26 minutes 00 seconds East, 1,735.44 feet to the point of beginning; being 11.89 acres, more or less, in area.

For: Marketmasters of the Southeast, Inc.

EXHIBIT "B"

