

ORDINANCE O-2-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF GREEN COVE SPRINGS, FLORIDA, BY ADDING FUTURE LAND USE OBJECTIVE 1.8 TO ADD SITE SPECIFIC DEVELOPMENT CONDITIONS FOR NEW DEVELOPMENT PROJECTS; AND ADDING FUTURE LAND USE POLICY 1.8.1 REGARDING SITE SPECIFIC DEVELOPMENT CONDITIONS RELATED TO FUTURE LAND USE AMENDMENT (ORDINANCE NO. O-01-2024) CHANGING THE FUTURE LAND USE FROM MIXED USE TO INDUSTRIAL FOR ±15 ACRES OF REAL PROPERTY GENERALLY LOCATED OFF OF THE SOUTHEAST CORNER OF LEONARD C TAYLOR PARKWAY AND US 17, IDENTIFIED AS A PORTION OF TAX ID NUMBER 016541-000-00 AND ±43.12 ACRES OF PROPERTY LOCATED AT LEONARD C TAYLOR PARKWAY, IDENTIFIED AS 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.

WHEREAS, Chapter 166, Florida Statutes, empowers the City Council of Green Cove Springs to prepare and enforce a Comprehensive Plan for the development of the City; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the City Council of Green Cove Springs to (a) plan for the City's future development and growth; (b) adopt and amend Comprehensive Plans, or elements or portions thereof, to guide the future growth and development of the City, (c) implement adopted or amended Comprehensive Plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purpose of the action; and

WHEREAS, the City Council believes adding site specific policies for Future Land Use Amendments related to new development projects are necessary to ensure the quality of life; and

WHEREAS, the City Council believes adding a site-specific policy related to Future Land Use Amendment (Ordinance No. O-01-2024) is necessary to ensure the City's adopted Level of Service, quality of life and to ensure compatibility with surrounding uses; and

WHEREAS, the City Council has been established pursuant to Article II of the City Charter of the City of Green Cove Springs duly adopted July 15, 1980; and

WHEREAS, the City Council, empowered by the above-cited laws and ordinances, and by Sections 163.3161 through 163.3215, Florida Statutes, prepared an amendment to the Comprehensive Plan 2025 to address more adequately and prepare for Green Cove Springs' future development and growth; and

WHEREAS, in exercise of its authority, the City Council of Green Cove Springs has determined it necessary and desirable to adopt the amendments to the Comprehensive Plan 2025 as identified in Attachment “A”, to encourage the most appropriate use of land, water and resources, consistent with the public interest; to deal effectively with future problems that may result from the use and development of land within Green Cove Springs.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent and exercise the authority set out in the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 166, Florida Statutes, as amended.

Section 2. Adoption of Future Land Use Element Objective 1.14 and Policy 1.14.1, for the Comprehensive Plan 2025. The City Council of Green Cove Springs hereby adopts Future Land Use Element Objective 1.14 and Policy 1.14.1 of the Green Cove Springs Comprehensive Plan 2025 as specified in Attachment “A” attached hereto and by reference made a part hereof.

Section 3. Applicability and Effect. The applicability and effect of the amendments to the Green Cove Springs Comprehensive Plan 2045 shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and this Ordinance.

Section 4. Copy on file.

(a) A certified copy of the enacting ordinance, as well as certified copies of the amendments to the City of Green Cove Springs' Comprehensive Plan 2045 and any amendments thereof, shall be filed with the City Clerk of Green Cove Springs.

(b) To make amendments to the Comprehensive Plan 2045 available to the public, a certified copy of the enacting ordinance, as well as certified copies of the amended City of Green Cove Springs Comprehensive Plan 2025 and any amendments thereto, shall be located in the Planning and Zoning Department of the City of Green Cove Springs and shall be available to the public for a reasonable publication charge.

Section 5. Repealer. All ordinances or part of Ordinances in conflict herewith be and the same are hereby repealed.

Section 6. Severability. If any portion or portions of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions of this Ordinance shall remain in full force and effect.

Section 7. Effective Date. If this ordinance becomes effective, the effective date of the comprehensive plan text amendment adopted hereby shall be the later of:

a. The date that the amendment to the local government's future land use map that is the subject of Ordinance No. O-01-2024 becomes effective; or

b. If this amendment is not timely challenged, the effective date shall be 31 days after the state land planning agency notifies the local government that this plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a

final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency at 107 East Madison Street, MSC 160, Tallahassee, Florida 32399-4120.

INTRODUCED AND PASSED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 6th DAY OF FEBRUARY 2024.

CITY OF GREEN COVE SPRINGS, FLORIDA

By: _____
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

By: _____
Steven R. Kelley, Mayor

ATTEST: _____
Erin West, City Clerk

APPROVED AS TO FORM ONLY:

L. J. Arnold, III, City Attorney

ATTACHMENT “A”

Objective 1.8 The City shall adopt, as necessary, Future Land Use Map Amendments with specific development conditions that are consistent with the City’s adopted Level of Service (LOS) standards and Future Land Use Element, and compatible with the surrounding uses.

Policy 1.8.1: Future Land Use Map (FLUM) Amendment adopted by Ordinance Number O-01-2024 on June 18, 2024 changes the future land use on the amendment area from Mixed Use to Industrial. Development shall meet the requirements of all applicable goals, objectives and policies of the Comprehensive Plan; however, the land use and development potential made available by the FLUM Amendment Ordinance O-01-2024 is hereby limited based on the following:

1. Prior to the approval of a subsequent development order such as but not limited to a subdivision or site development plan, the property owner/developer must submit a developer’s agreement addressing the following development requirements for the Amendment parcels that is currently owned by HLM Investments that is adjacent to SR 16 and US 17:
 - a) Address screening and buffering requirements between the Amendment parcels or portion thereof and the remaining portion of parcel 016451-0000 and SR 16 and US 17.
 - b) Address Building, site and streetscape design requirements for the Amendment parcels or portion thereof and the remaining portion of parcel 016451-0000 adjacent to SR 16 and US 17. These requirements shall include but are not limited to:
 - a. Block Standards
 - b. Building Placement
 - c. Building Typology and Massing
 - d. Building Frontage Design
 - e. Façade Articulation
 - f. Entrances
 - g. Building Materials
 - h. Lighting
 - i. Service Area and Mechanical Equipment Screening
 - j. Signage
2. Prior to approval of a subsequent development order, such as but not limited a zoning, subdivision or site development plan, the property owner/developer will be required to provide an Access Management Plan and Traffic Impact Analysis to address site access and traffic capacity, the plan must be developed in cooperation with Florida Department of Transportation, Clay County and the City of Green Cove Springs.
 - a. Traffic Study shall be completed prior to issuance of building permits for new onsite development and a building final inspection is issued for expansion of existing development.
 - b. Traffic Study shall address truck traffic and rail traffic as part of their analysis.
 - c. Traffic Study methodology approval shall be secured prior to approval of a subsequent development order, such as but not limited to Zoning, Subdivision or Site Development Plan.
 - d. A Development Agreement shall be completed prior to issuance of building permits for new onsite development and a building final inspection is issued for expansion of existing development to address the timing and costs associated with offsite improvements.
3. Limit uses on the Amendment Parcels or any portion thereof to permitted uses in the M-1 Zoning District and M-2 Zoning District Permitted Uses as a Special Exception.
4. Property shall be rezoned to a Planned Unit Development (PUD). A conceptual plan and written description shall be included with the PUD submittal.