

CITY OF GREEN COVE SPRINGS PLANNING & ZONING BOARD MEETING

321 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA
TUESDAY, JULY 23, 2024 – 5:00 PM



AGENDA

GENERAL INFORMATION

Anyone wishing to address the Planning and Zoning Board regarding any topic on this evening's agenda is requested to complete a card available at the Clerk's desk. Speakers are respectfully requested to limit their comments to three (3) minutes.

The Planning and Zoning Board prohibits the use of cell phones and pagers which emit an audible sound during all meetings with the exception of Law Enforcement, Fire and Rescue, or Health Care Professionals on call. Persons in violation will be requested to leave the meeting.

ROLL CALL

APPROVAL OF MINUTES

- [1.](#) Approval of the Minutes of the June 25, 2024 Meeting

PUBLIC HEARINGS

- [2.](#) Review of Ordinance O-17-2024 - Revision to the Site Development Criteria to the approved Rookery Planned Unit Development
- [3.](#) Review of Ordinance O-16-2024 - Request for rezoning for property located West of US17 and East of Rookery Development for parcel 016579-000-00.

Zoning Amendment

From: MUH, Mixed Use Highway

To: C-2, General Commercial

ACTION ITEMS

BOARD BUSINESS

Board Discussion / Comments

Staff Comments

- [4.](#) R-11-2024 Resolution establishing standard operating procedures to implement the requirements set forth in Senate Bill 328, Live Local Amendment Act relating to Affordable Housing Regulations.

ADJOURNMENT

NEXT MEETING: TUESDAY, AUGUST 27, 2024 AT 5:00PM

Minutes of the Planning & Zoning Board Meeting can be obtained from the City Clerk's office. The Minutes are recorded, but are not transcribed verbatim.

Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recordings, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be at the expense of the requesting party.

ADA NOTICE

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 5:00 p.m. on the day prior to the meeting.

EXPARTE COMMUNICATIONS

Oral or written exchanges (sometimes referred to as lobbying or information gathering) between a Planning and Zoning Board member and others, including staff, where there is a substantive discussion regarding a quasi-judicial decision by the Planning and Zoning Board. The exchanges must be disclosed by the Planning and Zoning Board.

CITY OF GREEN COVE SPRINGS PLANNING & ZONING BOARD MEETING

321 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA
TUESDAY, JUNE 25, 2024 – 5:00 PM



MINUTES

Chairman Danley called the meeting to order at 5:00pm.

ROLL CALL

Board Members Present: Board Member Henrietta Francis, Board Member Justin Hall, Board Member Phil Vetter, Vice Chairman Joshua Hobbs, Chairman Josh Danley

Staff Members Present: Steve Kennedy, City Manager, Mike Null, Assistant City Manager, Michael Daniels, Development Services Director, Gabriel Barro, Staff Planner, Lyndie Knowles, Development Services Representative

APPROVAL OF MINUTES

1. Approval of the Minutes of the May 28, 2024 Meeting

Motion was made to approve the minutes of the May 28, 2024 meeting.

Motion made by Board Member Francis, Seconded by Board Member Hall. Voting Yea: Board Member Francis, Board Member Hall, Board Member Vetter, Vice Chairman Hobbs, Chairman Danley

Motion passed 5-0.

PUBLIC HEARINGS

2. Review of Special Exception application for use of the south portion of the property for Springs Chapel as off-street parking

Staff Planner, Gabriel Barro presented the request for modification of the Special Exception for Springs Chapel. Staff recommended approval with the conditions of meeting all conditions within specified timeframes.

Chairman Danley opened the public hearing.

The applicant, James Whitehouse, was present and presented his case before answering questions from the board members.

It was noted by Development Services Director, Michael Daniels that the closing of Grove Street at St. Johns Avenue will require City Council approval.

Several neighboring property owners were in attendance to speak against the modification. Beverly Beauregard asked questions regarding the closing of Grove Street. Mr. Daniels

clarified that it would be a permanent barrier. She also inquired about the lights within the new parking area. Mr. Daniels noted that the lighting will be addressed during site plan approval which will come back before the board. Ms. Beauregard asked if the church decided to move, could someone else come in an set up in the same manner. The special exception is specified to the current property owner and if a new owner came in, they would have to apply for a new special exception. Ms. Beauregard stated for the record that she would prefer the proposed parking/drop off area to remain grass.

Regina Horwath brought up that there are no sidewalks on St. Johns Avenue so when she walks her dog, it is scary with the traffic. She stated that previously there were houses on the southeast portion of the lot. She took issue with the statement on the application that said the change would increase property values and noted that the statement was subjective, and she disagrees. She also stated that she did not care for the applicant proposed fence/ landscaping. She has questions regarding the existing trees and Mr. Daniels noted that we have tree preservation requirements and that will be addressed during the site plan review. Ms. Horwath also had issues with the dumpster location and is concerned with the additional noise it may cause. She would prefer that the area in question remain vacant or be homes and stay residential. She inquired about the gate that was mentioned. The gate referenced is existing and the conditions to the special exception would require that gate to be closed during school hours including drop off and pick up.

Eileen Ott noted that she lives across from the school. She and her husband were present for the 2016 special exception and doesn't feel that the conditions of that special exception were not adhered to. She said she was under the impression that the school was for originally 30 children and up to 100 children that were special needs. She said that she cannot figure out how many children are enrolled by visiting the school's website. She feels that the issues have been addressed only when the residents raise concerns. She doesn't think that the location can support 156 students. Board member Francis asked if when she raised concerns, were they addressed. Mrs. Ott said that eventually, but that additional concerns continue to exist. She feels that as the number of children attending, the traffic will increase and that will include students that will drive.

Richard Ott reiterated the concerns of the previous residents. He provided an email outlining his concerns and a copy of the minutes of the 2016 meeting regarding the current special exception for the school. He noted the issues and violations that had been brought against the church over the years. He does not understand why the church/school needs an additional 70 spaces for parking. He feels that this is a prelude to more growth. He asked if parking will be paved. Mr. Daniels responded that it will be paved, and that stormwater will be addressed during the site plan approval process. Mr. Ott inquired on the timelines of the conditions which were outlined in the presentation. He also mentioned the conditions of the previous special exception have not been met. He also raised concerns regarding the noise of the children throughout the school day and during dismissal. He feels the school is "out of control". Board member Francis asked what Mr. Ott suggests. He said he would like to keep them under control, but he thinks the residential lots should stay residential. Ultimately, he feels it should be shut down. Vice Chairman Hobbs inquired on the history of the church and how long it has been in operation. He asked if Mr. Ott would prefer it to stay a grass lot. He would like to see a solid wall but against their commercial portion and not against the residential lot. He does not want a paved parking lot on a residential zoned lot.

Terry Kelly noted that the 2016 special exception limited their access to US 17, not Grove Street, St. Johns Avenue or Governors. He says there has been no compliance since 2016. He stated that his property value has decreased. He expressed concerns about the landscaping not being maintained, trash coming into his yard, lights bleeding into his yard and the noise from the children. He echoed the concern that the school remains non-compliant. He does not agree that the gate at St. Johns is being used for church use only. He would like to see a solid wall across the entire east side of the parcel. He does not feel there is any compliance enforcement capabilities. Chairman Danley expressed that he thought the solid wall would solve most of the issues. Mr. Kelly agreed that a "beautiful wall" would be agreeable for himself. Vice Chairman Hobbs also agreed that this would be a potential along with the limitation of the number of students. Vice Chairman Hobbs also inquired about code enforcement of the area and Mr. Daniels responded that code enforcement has cited the property regarding access, and they are currently under a code enforcement order which has led to this modification application. Mr. Kelly feels that moving the access to St. Johns Avenue would solve a lot of the issues. Discussion was had regarding the gate at St. Johns Avenue, but Mr. Kelly would like all access removed.

Mr. Whitehouse responded to a few of the comments and he and his client understands that the solid wall would be the more agreeable option. He feels that these issues can be addressed, and they can work with the neighbors during the site plan process. In response to the additional parking, the church is a 300-seat church, and they are trying to increase the parking for the church with this addition as well.

Mr. Ott objected that they need additional parking for the church.

Board Member Vetter asked Mr. Whitehouse about the number of students currently. Mr. Whitehouse stated that his client is asking for 156 students. Per the National Center for Education Statistics Private School Survey Data has the current reported enrollment at 156 but that was not confirmed by the applicant. Mr. Vetter also asked for a better definition of the decorative wall/permanent barrier. Mr. Daniels confirmed that it would be a solid block masonry wall and that would come back before the board during the site plan approval process. Mr. Vetter proposed an alternative stacking plan and Mr. Whitehouse argued why the current proposed plan is more desirable in the eyes of his client.

City Attorney Jim Arnold gave a reminder to the board regarding ex-parte communication.

Mr. Kelly came back to the podium to agree that the city is growing but that the residents are asking the City to protect them. He also brought the concern that a confirmed number of currently enrolled students was not provided by the applicant.

Mr. White house explained that the order and the conditions will protect the residents. He feels that these conditions will alleviate the issues.

Ms. Beauregard came back up to get clarification on the type of wall. It was again confirmed that it will be a solid block concrete block masonry wall. Again, it was reiterated that the design would come back to the board for approval during the site plan review process.

Chairman Danley closed the public hearing.

Board discussion followed. Board Member Hall expressed concern about closing off the access to Grove Street and the addition of a permanent parking area. Mr. Daniels explained that the residential area could go back to being residential, but it could not be a commercial use. Mr. Hall would prefer not to have a paved surface parking area and keep access on/off US 17. Mr. Daniels brought up the concern that stacking could potentially impact US 17. From the city's standpoint, it is required for parking to be paved .

Mr. Daniels explained the process for code enforcement violations on this type of property, the history of the code enforcement for this specific property and that the idea is to find a permanent solution.

Board Member Francis shared that she feels blocking off Grove Street now will prevent future issues. She also feels like once these conditions are in place, this will solve the current issues.

Vice Chairman Hobbs asked Chairman Danley his professional opinion as a real estate agent if the closing of Grove would negatively impact the properties real estate prospects. Chairman Danley's opinion was that it would not.

A motion was made to approve the special exception modification subject to the conditions and submittal timelines which are as follows:

Conditions-

- 1. Define the maximum number of students to no more than 156 students.**
- 2. Addition of or modification to any existing structure/facility on the site as of the approval of this modification, will require a modification to the Special Exception.**
- 3. Provide parking calculations along with site plans.**
- 4. Provide a tree survey showing the location of existing trees, comply with the tree preservation requirements set forth in Sec. 113-274~279.**
- 5. Secure permits from FDOT for state road access/driveway.**
- 6. Ingress and egress are prohibited on St. Johns Avenue. Provide a gate on the St. Johns Avenue driveway, to be closed during school hours.**
- 7. A 6' high wall and trees (1 per 25 feet) to be provided along St. Johns Avenue as part of the required landscape buffer per Sec. 113-243.**
- 8. Gate at access to St. Johns Avenue must be closed and secured during drop-off hours, school hours and pick-up hours.**
- 9. Provide vehicle stacking to scale, each vehicle should be 10' in width and 20' in length. A minimum of 200' of stacking shall be provided.**

10. . Grove Street must be closed prior to the start of the school year, which is August 13, 2024, subject to City Council approval.
11. Provide a temporary stacking plan for school drop off and pickup with no access from St. Johns Avenue.
12. Special Exception shall be limited to Springs Chapel Corp. Any change in ownership shall require modification to the Special Exception.
13. Upon approval, failure to comply will result in pulling of the current and past Special Exceptions.

Submittal timeframes:

1. Secure a Site Development Plan approval subject to the special exception requirements within 120 days; and
2. Completion of construction of the improvements set forth in the approved Site Development Plan and conditions within the Special Exception within 6 months subsequent to Site Plan approval; and
3. Not meeting these timeframes shall be considered a violation of the approved Special Exception and shall be grounds for the special exception to be returned to the Planning and Zoning Commission for revocation of the Special Exception; and
4. Any other violations of the Special Exception and Site Development Plan shall follow the Code Enforcement procedure set forth in Chapter 22 of the Green Cove Springs City Code.

Motion made by Board Member Francis, Seconded by Vice Chairman Hobbs.
Voting Yea: Board Member Francis, Vice Chairman Hobbs, Chairman Danley
Voting Nay: Board Member Hall, Board Member Vetter

Motion passed 3-2.

3. Review of Special Exception application to allow for a street wall along US 17 as a design option at the Clay County Economic Development Building site

Gabriel Barro, staff planner, presented the application for special exception.

Chairman Danley opened the public hearing.

Charlie Latham, Assistant County Manager, was present and thanked the board for their consideration.

Chairman Danley closed the public hearing.

Motion was made to approve the special exception to allow for a street wall along US 17 as a design option at the Clay County Economic Development Building site.

Motion made by Vice Chairman Hobbs, Seconded by Board Member Hall.

Voting Yea: Board Member Francis, Board Member Hall, Board Member Vetter, Vice Chairman Hobbs, Chairman Danley

Motion passed 5-0

4. Review of Zoning Amendment Request for Parcel 016579-000-00 from Mixed Use Highway, MUH to General Commercial, C2

This item was tabled until the July 23, 2024 Planning and Zoning meeting at the request of the applicant.

5. Review of Modification of Rookery (formerly Ayrshire) Planned Unit Development

This item was tabled until the July 23, 2024 Planning and Zoning meeting at the request of the applicant.

ACTION ITEMS

6. Review of a Site Development Plan for the Clay County Economic Development Building at 633 N Orange Avenue

Gabriel Barro, staff planner, presented the application for a Site Development Plan for the Clay County Economic Development Building at 633 N Orange Avenue. This was presented during the presentation for item # 3.

Motion was made to approve the Site Development Plan for the Clay County Economic Development Building at 633 N Orange Avenue subject to staff comments due to City Council approval.

Motion made by Board Member Hall, Seconded by Vice Chairman Hobbs. Voting Yea: Board Member Francis, Board Member Hall, Board Member Vetter, Vice Chairman Hobbs, Chairman Danley

Motion passed 5-0

BOARD BUSINESS

Development Services Director, Michael Daniels shared that the Community Redevelopment Agency would be holding a public art workshop on July 9th and that involvement from the board would be welcome.

The Live Local Act has been updated by the State. The changes and the proposed SOP presented at the July meeting.

Chairman Hobbs inquired about the Rivers House project. Director Daniels said that the last low bidder was disqualified and that it would be going back out to bid on July 18th.

Chairman Francis asked about the status of the renovation of the Augusta Savage auditorium. Assistant City, Mike Null spoke regarding that item and said it would be going back out for bid in the new fe weeks.

Another project , Graylon Oaks, that was approved by the board previously will now be coming back to Council for final approval soon.

Assistant City Manager, Mike Null gave an update on the Walnut Street renovation. The full project should be completed by the end of August 2024. Vice Chairman Hobbs asked if there was any plans to add brick roadways in other areas of the city. Unfortunately the brick is less cost effective than asphalt but they will be using stamped asphalt in some areas.

City Attorney Jim Arnold reminded the board that they can make suggestions to change conditions of approvals on items if they think something may be beneficial to all parties.

Board discussion followed.

ADJOURNMENT

Chairman Danley adjourned the meeting at 7:14pm

NEXT MEETING: TUESDAY, JULY 23, 2024 AT 5:00PM

CITY OF GREEN COVE SPRINGS, FLORIDA

Joshua Danley, Chairman

Attest:

Lyndie Knowles, Development Services Rep.



STAFF REPORT

CITY OF GREEN COVE SPRINGS, FLORIDA

TO: Planning and Zoning Commission **MEETING DATE:** July 23, 2024

FROM: Gabriel Barro, Planning and Zoning

SUBJECT: Review of Ordinance O-17-2024 - Revision to the Site Development Criteria to the approved Rookery Planned Unit Development

PROPERTY DESCRIPTION

APPLICANT: Ellen Avery-Smith,
Roger Towers, P.A. **OWNER:** Rookery Investors LLC
ADJ Rookery LLC
DR Horton Inc Jacksonville

PROPERTY LOCATION: South of Green Cove Ave, East of 15A, West of US17

PARCEL NUMBER: 016515-008-00, 016515-008-02, 016515-000-03

FILE NUMBER: MOD-24-001

CURRENT ZONING: Planned United Development, PUD

FUTURE LAND USE DESIGNATION: Neighborhood

SURROUNDING LAND USE

<p>NORTH: FLU: Public Z: Recreational Use: Vacant</p>	<p>SOUTH: FLU: Industrial (County) Z: IS Heavy Industrial (County) Use: Manufacturing</p>
<p>EAST: FLU: Industrial (County) Z: IB Light Industrial (County), IS Heavy Industrial (County) Use: Light Manufacturing</p>	<p>WEST: FLU: Neighborhood Z: AR Agricultural Residential (County) Use: Single Family</p>

BACKGROUND

The property is approximately 560 acres and is located on CR 15 A south of Green Cove Avenue. The property was annexed into the City in 2022 and was approved for a Land Use Designation change to the Low Density Residential, which was changed to Neighborhood with PUD Zoning District with the intent to develop 2,100 residential units owned by Rookery Investors, LLC and ADJ Rookery LLC. The PUD Zoning includes a PUD concept plan, development requirements set forth in the PUD written description and a Development Agreement. Preliminary subdivision plans for the first two phases of the project, which include Pearce Boulevard which includes the construction of a bridge over the CSX rail line connecting to US 17 have been submitted and approved. Land clearing is currently taking place in the first two phases of the proposed development.

DEVELOPMENT DESCRIPTION:

The applicant, Ellen Avery Smith Esq, of Rogers Tower PA has submitted a proposed amendment to the Site Development Criteria set forth in the Written Description of the approved PUD. The original agreement allowed for 30% of parcels to be used for townhouses while the remaining 70% would be used for single family housing. The requested modification would allow for 10% of the units to be duplexes, 30% townhouses, and 60% single family housing. The applicant has proposed a new development type (duplex) with site development criteria provided in Section E of the approved Written Description. The criteria also specify the proposed duplex development shall not be permitted in the same pod as the single-family subdivisions.

COMPREHENSIVE PLAN:

OBJECTIVE 1.1. Future Land Use Map. New development and redevelopment activities shall be directed to appropriate areas of the City as depicted on the Future Land Use Map (FLUM).

Policy 1.1.1. The following Future Land Use categories (FLUC), along with their intended uses, densities, and intensities, are established as follows (FAR only applies to non-residential uses): a. Neighborhood (NBD): This FLUC is intended to accommodate primarily low-to-medium density residential uses. Support/secondary uses include professional offices, and public/semi-public facilities. i. Density Range: Up to twelve dwelling units (du) per (/) acre (ac) ii. Maximum Intensity: 0.2 Floor Area Ratio (FAR)

Policy 1.2.1. The location and timing of new development and the issuance of permits shall be coordinated with the availability of public facilities through implementation of various smart growth management measures.

Policy 1.2.4. The City shall explore permitting new types of housing developments.

Policy 1.2.6. The City shall require new development to connect to the City's centralized potable water and sanitary sewer system. **Policy 1.2.7.** The City shall condition development orders upon the provision of essential facilities and services which meet and would not result in the failure of each service's established level of service (LOS). **Policy 1.2.8.** The City shall ensure the availability and protection of lands designated for the future expansion of public infrastructure.

STAFF RECOMMENDATION

The proposed revision to the PUD written description will not result in the number of units for the proposed development being increased or increasing the impact on City facilities. The addition of a different residential product into the PUD will provide for more choices for residents and will not detract from the character of the proposed development.

RECOMMENDED MOTIONS:**Rezoning**

Motion to recommend the approval of the modification to Ordinance O-17-2024, to allow for the proposed revisions in Section E, Site Development Criteria of the Rookery PUD Written Description.

Exhibit C – PUD Written Description

Proposed Modification to Ayrshire Planned Unit Development

April 24 June 14, 2024

This application proposes to revise the PUD Written Description for the Ayrshire Planned Unit Development, as approved by the City of Green Cove Springs (“City”) on August 17, 2021 through Ordinance No. O-06-2021 and as modified on May 3, 2022 through Ordinance No. O-09-2022 (the “PUD”). The Property within the PUD is owned by D.R. Horton, Inc. – Jacksonville, Rookery Investors LLC and ADJ Rookery LLC (collectively, the “Owner”). No changes are proposed to the legal description of the property subject to the PUD or to the project site plan.

The Owner would like to add another residential product type – duplexes - to the PUD. Accordingly, this application shall modify the PUD Written Description as follows:

- 1. Revise the first paragraph in Section C, Residential Development, to allow read as follows:

“The Property will include a maximum of 2,100 residential units, which will include single-family homes, duplexes and townhomes. No more than 30 percent of the residential units will be townhomes, and no more than 10 percent of the residential units will be duplexes. Approximately 462 acres of the Property are developable.”

- 2. Revised Section E, Site Development Criteria, Subsection 1, Residential Criteria, to correctly label the Townhome Criteria as Subsection 1.b (instead of 2) and to include a new Subsection 1.c for the following Duplex Criteria:

c. Duplex Criteria

- 1. Setbacks: The minimum building setbacks are as follows:

- a. A minimum of 50 feet from the right-of-way of County Road 15A and 20 feet from the primary internal access road labeled Jersey Avenue on the Conceptual Development Plan.
- b. Lot setbacks are: Front Yard: 20 feet from face of garage, 15 feet from front facade of house; 10 feet on Corners (with no vehicular access from Corner front yard)

Rear Yard: 10 feet

Side Yard: 5 feet from property lines, 0 feet for interior lots with common wall lines, minimum 10 feet of separation between buildings

2. Building height: Buildings shall not exceed 35 feet in height.
3. Minimum lot size: 1,800 square feet.
4. Minimum lot width: 16 feet.
5. Minimum home size: 1,200 square feet.
6. Maximum impervious surface ratio: 40 percent for the Property (the entire PUD).
7. Maximum lot coverage by buildings: 60 percent per Lot.
8. Density: There are approximately 561 acres designated for residential use within the Property. The Residential Low Density Future Land Use designation of the Property allows a maximum density of four (4) units per acre. The proposed density of 3.75 units per acre is consistent with the requirements for the Residential Low Density Future Land Use category set forth in the Green Cove Springs Comprehensive Plan.
9. Parking: Each duplex unit will have two (2) parking spaces. Duplex units will have enclosed garages that are a minimum of 200 square feet (10 feet by 20 feet). Recreational vehicles, boats and trailers shall not be parked in front yards, or in the minimum required side yards and shall be screened from view.
10. Locational Criteria: Duplex units cannot be located within the same development pod as single-family units. Duplex units and townhomes are permitted to be located within the same development pod. No single-family lot can be subdivided to allow for the development of two duplex units. City staff shall confirm that the Owner has complied with the criteria set forth in this Subsection E.1.c during site plan review.

Exhibit C – PUD Written Description

Proposed Modification to Ayrshire Planned Unit Development

June 14, 2024

This application proposes to revise the PUD Written Description for the Ayrshire Planned Unit Development, as approved by the City of Green Cove Springs (“City”) on August 17, 2021 through Ordinance No. O-06-2021 and as modified on May 3, 2022 through Ordinance No. O-09-2022 (the “PUD”). The Property within the PUD is owned by D.R. Horton, Inc. – Jacksonville, Rookery Investors LLC and ADJ Rookery LLC (collectively, the “Owner”). No changes are proposed to the legal description of the property subject to the PUD or to the project site plan.

The Owner would like to add another residential product type – duplexes - to the PUD. Accordingly, this application shall modify the PUD Written Description as follows:

- 1. Revise the first paragraph in Section C, Residential Development, to read as follows:

“The Property will include a maximum of 2,100 residential units, which will include single-family homes, duplexes and townhomes. No more than 30 percent of the residential units will be townhomes, and no more than 10 percent of the residential units will be duplexes. Approximately 462 acres of the Property are developable.”

- 2. Revised Section E, Site Development Criteria, Subsection 1, Residential Criteria, to correctly label the Townhome Criteria as Subsection 1.b (instead of 2) and to include a new Subsection 1.c for the following Duplex Criteria:

- c. Duplex Criteria

- 1. Setbacks: The minimum building setbacks are as follows:

- a. A minimum of 50 feet from the right-of-way of County Road 15A and 20 feet from the primary internal access road labeled Jersey Avenue on the Conceptual Development Plan.
 - b. Lot setbacks are: Front Yard: 20 feet from face of garage, 15 feet from front facade of house; 10 feet on Corners (with no vehicular access from Corner front yard)

- Rear Yard: 10 feet

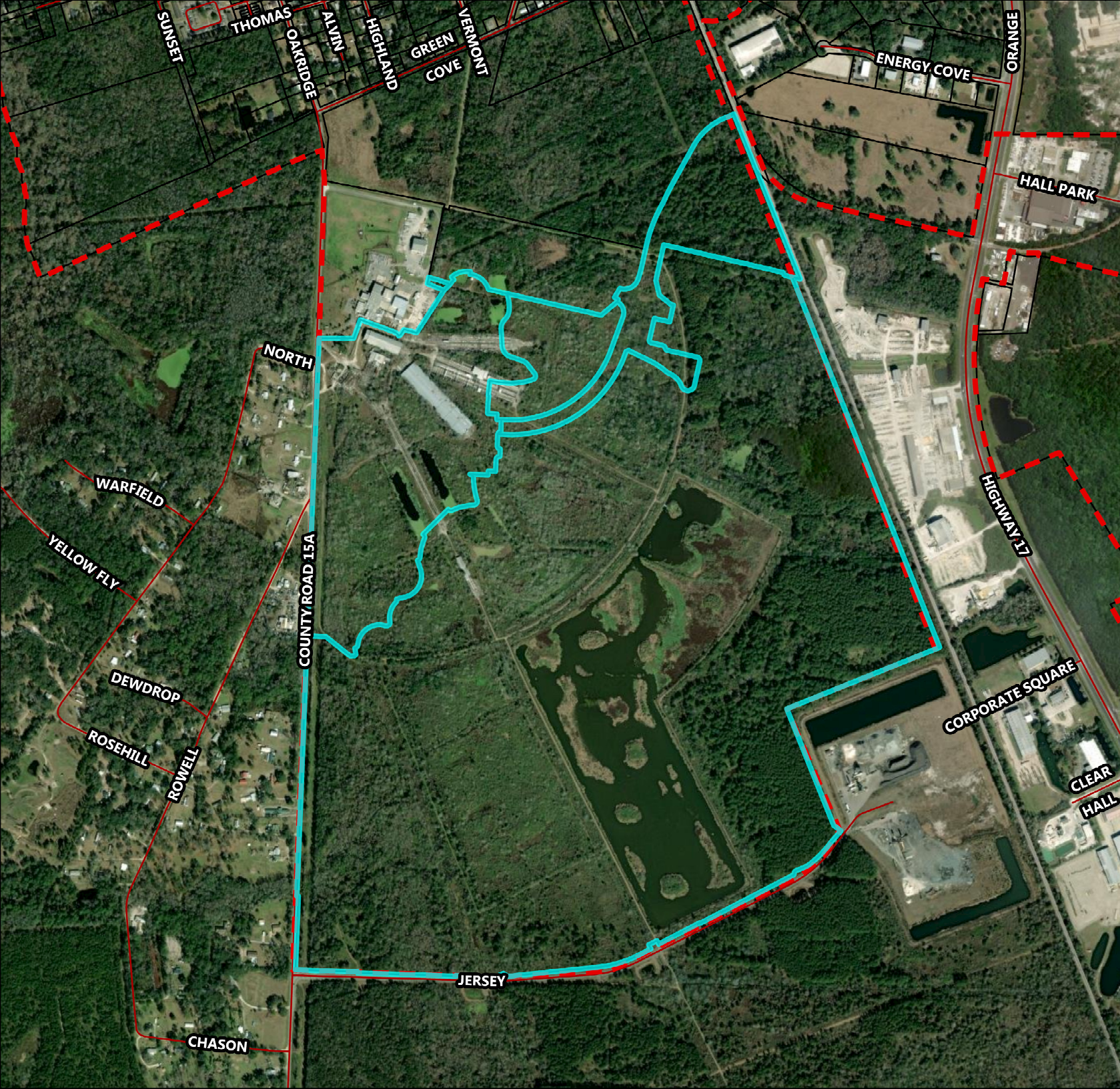
- Side Yard: 5 feet from property lines, 0 feet for interior lots with common wall lines, minimum 10 feet of separation between buildings

2. Building height: Buildings shall not exceed 35 feet in height.
3. Minimum lot size: 1,800 square feet.
4. Minimum lot width: 16 feet.
5. Minimum home size: 1,200 square feet.
6. Maximum impervious surface ratio: 40 percent for the Property (the entire PUD).
7. Maximum lot coverage by buildings: 60 percent per Lot.
8. Density: There are approximately 561 acres designated for residential use within the Property. The Residential Low Density Future Land Use designation of the Property allows a maximum density of four (4) units per acre. The proposed density of 3.75 units per acre is consistent with the requirements for the Residential Low Density Future Land Use category set forth in the Green Cove Springs Comprehensive Plan.
9. Parking: Each duplex unit will have two (2) parking spaces. Duplex units will have enclosed garages that are a minimum of 200 square feet (10 feet by 20 feet). Recreational vehicles, boats and trailers shall not be parked in front yards, or in the minimum required side yards and shall be screened from view.
10. Locational Criteria: Duplex units cannot be located within the same development pod as single-family units. Duplex units and townhomes are permitted to be located within the same development pod. No single-family lot can be subdivided to allow for the development of two duplex units. City staff shall confirm that the Owner has complied with the criteria set forth in this Subsection E.1.c during site plan review.

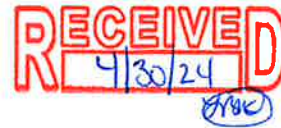


Legend

- Roads
- Target Parcel
- Parcels



April 29, 2024



VIA OVERNIGHT MAIL

Michael Daniels, AICP
Planning and Zoning Director
City of Green Cove Springs
321 Walnut Street
Green Cove Springs, Florida 32043

**Re: Ayrshire/Applications for Planned Unit Development Modification,
Commercial Rezoning**

Dear Mr. Daniels:

The purpose of this letter is to transmit two rezoning applications for properties owned by clients of our firm located in the City of Green Cove Springs. The first application is for a modification to the existing Ayrshire Planned Unit Development (“PUD”) approved as Ordinance Nos. O-06-2021 and O-09-2022. The second application is to rezone land located adjacent to the Ayrshire PUD for commercial use.

Our clients D.R. Horton, Inc. – Jacksonville, Rookery Investors LLC and ADJ Rookery LLC (collectively the “Owners”) are the owners of the approximately 561 acres located within the Ayrshire PUD. The Owners are requesting to add a new residential product type – duplexes – to the permitted uses within the PUD and provide development standards for such units.

D.R. Horton, Inc. – Jacksonville also owns property located between the Ayrshire PUD and U.S. Highway 17 with Clay County Parcel Identification No. 38-06-26-016579-000-00 (the “Commercial Parcel”). The future land use designation of the Commercial Parcel is Industrial, and the zoning district is Mixed Use Highway (“MUH”). D.R. Horton would like to rezone the Commercial Parcel from MUH to Commercial High Intensity (“C2”).

Enclosed are applications for the PUD Modification and Rezoning described above, along with supporting documents related to the same. If you will please let us know the application fee for each package, we will send you checks for payment.

We look forward to working with you on these applications.

Sincerely yours,

Ellen Avery-Smith

Michael Daniels
April 29, 2024
Page 2

Item # 2.

cc: City Attorney Jim Arnold, Esq.
John Gislason
Anthony Sharp



FOR OFFICE USE ONLY		Item # 2.
P Z File #	_____	
Application Fee:	_____	
Filing Date:	_____	Acceptance Date: _____
Review Date:	SRDT _____	P & Z _____ CC _____

PUD Modification Application

A. PROJECT

- Project Name: Ayrshire
- Address of Subject Property: County Road 15A / Green Cove Avenue
- Parcel ID Number(s): See attached
- Existing Use of Property: Under development
- Future Land Use Map Designation : Residential Low Density (RLD)
- Existing Zoning Designation: Planned Unit Development (PUD)
- Proposed Zoning Designation: Planned Unit Development (PUD)
- Acreage: 5 6 1

B. APPLICANT

- Applicant's Status Owner (title holder) Agent
- Name of Applicant(s) or Contact Person(s): Ellen Avery-Smith, Esq. Title: _____
 Company (if applicable): Rogers Towers, P.A.
 Mailing address: 100 Whetstone Place, Suite 200
 City: St. Augustine State: Florida ZIP: 32086
 Telephone: (904) 824-0879 FAX: (904) 825-4070 e-mail: eaverysmith@rtlaw.com
- If the applicant is agent for the property owner*
 Name of Owner (titleholder): See attached list of owners
 Mailing address: 4220 Race Track Road
 City: St. Johns State: Florida ZIP: 32259
 Telephone: 904) 899-5915 FAX: () e-mail: jrgislason@drhorton.com

* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

C. ADDITIONAL INFORMATION

1. Is there any additional contact for sale of, or options to purchase, the subject property?

Yes No If yes, list names of all parties involved:

If yes, is the contract/option contingent or absolute?

Contingent

Absolute

D. ATTACHMENTS

1. Statement of proposed change, including a map showing the proposed zoning change and zoning designations on surrounding properties
2. A current aerial map (Maybe obtained from the Clay County Property Appraiser.)
3. Plat of the property (Maybe obtained from the Clay County Property Appraiser.)
4. Legal description with tax parcel number.
5. Boundary survey
6. Warranty Deed or the other proof of ownership
7. Site Plan
8. Written Description
9. Binding Letter
10. Fee.

a. \$2,000 plus \$20 per acre

b. All applications are subject 10% administrative fee and must pay the cost of postage, signs, advertisements and the fee for any outside consultants.

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees necessary for technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any action of any kind on the development application.

All 10 attachments are required for a complete application. A completeness review of the application will be conducted within five (5) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

[Signature]
Signature of Applicant

Signature of Co-applicant

Anand Jobalia
Typed or printed name and title of applicant

Typed or printed name of co-applicant

4.24.24
Date

Date

State of Florida County of Volusia

The foregoing application is acknowledged before me this 24 day of April, 2024, by Anand

Jobalia, who is/are personally known to me, or who has/have produced _____ as identification.

NOTARY SEAL
[Signature]

Signature of Notary Public, State of Florida



D. ATTACHMENTS

1. Statement of proposed change, including a map showing the proposed zoning change and zoning designations on surrounding properties
2. A current aerial map (Maybe obtained from the Clay County Property Appraiser.)
3. Plat of the property (Maybe obtained from the Clay County Property Appraiser.)
4. Legal description with tax parcel number.
5. Boundary survey
6. Warranty Deed or the other proof of ownership
7. Site Plan
8. Written Description
9. Binding Letter
10. Fee.
 - a. \$2,000 plus \$20 per acre
 - b. All applications are subject 10% administrative fee and must pay the cost of postage, signs, advertisements and the fee for any outside consultants.

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All 10 attachments are required for a complete application. A completeness review of the application will be conducted within five (5) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

Signature of Applicant

William Smith
Signature of Co-applicant

Typed or printed name and title of applicant

Elben Arey-Smith
Typed or printed name of co-applicant

Date

4/24/24
Date

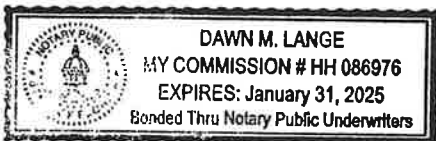
State of Florida

County of St. Johns

The foregoing application is acknowledged before me this 24 day of April, 2024 by _____

_____, who is/are personally known to me, or who has/have produced _____ as identification.

NOTARY SEAL



Signature of Notary Public, State of Florida
Dawn M. Lange

March 3, 2022
Page 1 of 3

Work Order No. 20-355.06
File No. 127H-15.06A

The Rookery PUD Parcel

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 and a portion of Parcel "A" as described and recorded in Official Records Book 3316, page 1098, both of the Public Records of said county and 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°54'49" East, along said Westerly right of way line, 1424.74 feet to the Point of Beginning.

From said Point of Beginning, thence South 21°54'49" East, continuing along said Westerly right of way line, 1502.39 feet to the Northeast corner of those lands described and recorded in Official Records Book 3855, page 1391, of said Public Records; thence North 77°06'26" West, departing said Westerly right of way line and along the Northerly line of last said lands, 66.98 feet to the Northwesterly corner thereof; thence Southerly along the Westerly boundary line of last said lands the following 3 courses: Course 1, thence South 21°54'49" East, 3242.16 feet; Course 2, thence South 68°05'09" West, 1307.43 feet; Course 3, thence South 21°54'51" East, 1003.87 feet to a point lying on the Northerly line of that certain Access & Maintenance Easement described and recorded in Official Records Book 3855, page 1394, of said Public Records; thence Westerly along said Northerly line the following 26 courses: Course 1, thence South 37°01'31" West, departing said Westerly boundary line, 149.07 feet to the point of curvature of a curve concave Northwesterly having a radius of 955.00 feet; Course 2, thence Southwesterly along the arc of said curve, through a central angle of 16°37'06", an arc length of 276.99 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 45°20'05" West, 276.02 feet; Course 3, thence South 67°24'13" West, along a non-tangent line, 105.10 feet; Course 4, thence South 53°45'05" West, 12.16 feet; Course 5, thence South 13°14'26" West, 24.72 feet; Course 6, thence South 63°07'28" West, 859.11 feet; Course 7, thence North 26°52'32" West, 5.00 feet; Course 8, thence South 63°07'28" West, 382.73 feet; Course 9, thence North 26°52'32" West, 31.65 feet; Course 10, thence South 63°07'28" West, 74.60 feet; Course 11, thence South 26°52'32" East, 36.65 feet; Course 12, thence South 63°07'28" West, 102.14 feet to the point of curvature of a curve concave Northerly having a radius of 955.00 feet; Course 13, thence Westerly along the arc of said curve, through a central angle of 22°47'15", an arc length of 379.82 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 74°31'05" West, 377.32

March 3, 2022
Page 2 of 3

Work Order No. 20-355.06
File No. 127H-15.06A

The Rookery PUD Parcel (continued)

feet; Course 14, thence South $85^{\circ}54'43''$ West, 731.91 feet; Course 15, thence North $04^{\circ}05'17''$ West, 5.00 feet to a point on a non-tangent curve concave Northerly having a radius of 250.00 feet; Course 16, thence Westerly along the arc of said curve, through a central angle of $05^{\circ}44'03''$, an arc length of 25.02 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $88^{\circ}46'45''$ West, 25.01 feet; Course 17, thence North $88^{\circ}21'14''$ West, 61.78 feet; Course 18, thence North $19^{\circ}49'14''$ West, 8.30 feet; Course 19, thence North $55^{\circ}44'57''$ West, 30.16 feet; Course 20, thence South $67^{\circ}18'10''$ West, 29.23 feet; Course 21, thence South $07^{\circ}09'24''$ West, 17.00 feet; Course 22, thence North $88^{\circ}21'14''$ West, 362.37 feet; Course 23, thence South $01^{\circ}38'46''$ West, 5.00 feet; Course 24, thence North $88^{\circ}21'14''$ West, 800.00 feet; Course 25, thence North $01^{\circ}38'46''$ East, 10.00 feet; Course 26, thence North $88^{\circ}21'14''$ West, 355.52 feet to a point lying on the Easterly right of way line of County Road 15A (South Oakridge Avenue), a 100 foot right of way as presently established; thence North $02^{\circ}07'57''$ East, along said Easterly right of way line, 5150.65 feet to the Southwest corner of those lands described and recorded in Official Records Book 3863, page 203, of said Public Records; thence Easterly along the Southerly and Southeasterly lines of last said lands the following 9 courses: Course 1, thence South $88^{\circ}31'42''$ East, departing said Easterly right of way line, 282.59 feet; Course 2, thence North $21^{\circ}17'17''$ East, 161.55 feet; Course 3, thence South $68^{\circ}42'43''$ East, 287.10 feet; Course 4, thence South $58^{\circ}52'43''$ East, 32.90 feet; Course 5, thence South $37^{\circ}48'54''$ East, 22.40 feet; Course 6, thence North $70^{\circ}53'31''$ East, 15.20 feet; Course 7, thence North $34^{\circ}14'49''$ East, 52.23 feet; Course 8, thence South $88^{\circ}17'22''$ East, 94.17 feet; Course 9, thence North $31^{\circ}43'31''$ East, 427.82 feet to the Easterly most corner thereof; thence South $58^{\circ}16'29''$ East, departing said Southeasterly line, 30.00 feet to a point on a non-tangent curve concave Southeasterly having a radius of 175.00 feet; thence Northeasterly 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 North $40^{\circ}10'24''$ East, 51.42 feet; thence North $41^{\circ}22'44''$ West, along a non-tangent line, 29.96 feet to a point on a non-tangent curve concave Southerly having a radius of 198.38 feet; thence Easterly 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 North $73^{\circ}41'49''$ East, 160.63 feet; thence South $05^{\circ}22'04''$ West, along a non-tangent line, 24.76 feet to a point on a non-tangent curve concave Southwesterly having a radius of 175.00 feet; thence Southeasterly 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 South $51^{\circ}03'13''$ East, 193.58 feet; thence South $77^{\circ}07'44''$ East, along a non-tangent line, 945.04 feet; thence North $49^{\circ}36'09''$ East, 172.16 feet; thence North $27^{\circ}02'28''$ East, 20.00 feet; thence North $60^{\circ}40'11''$ West, 35.15 feet; thence North $31^{\circ}37'11''$ East, 86.00 feet to a point on a non-tangent curve concave Northwesterly having a radius of 120.00 feet; thence Northeasterly along the arc of said curve, through a central angle of $87^{\circ}21'29''$, an arc length of 182.96 feet to a point of compound curvature, said arc being subtended by a chord bearing and distance of North $63^{\circ}04'27''$ East, 165.75 feet; thence Northerly along the arc of a curve concave Westerly having a radius of 950.00 feet, through a central angle of $06^{\circ}31'27''$, an arc length of 108.17 feet to the point of tangency of said curve, said arc being

March 3, 2022
Page 3 of 3

Work Order No. 20-355.06
File No. 127H-15.06A

The Rookery PUD Parcel (continued)

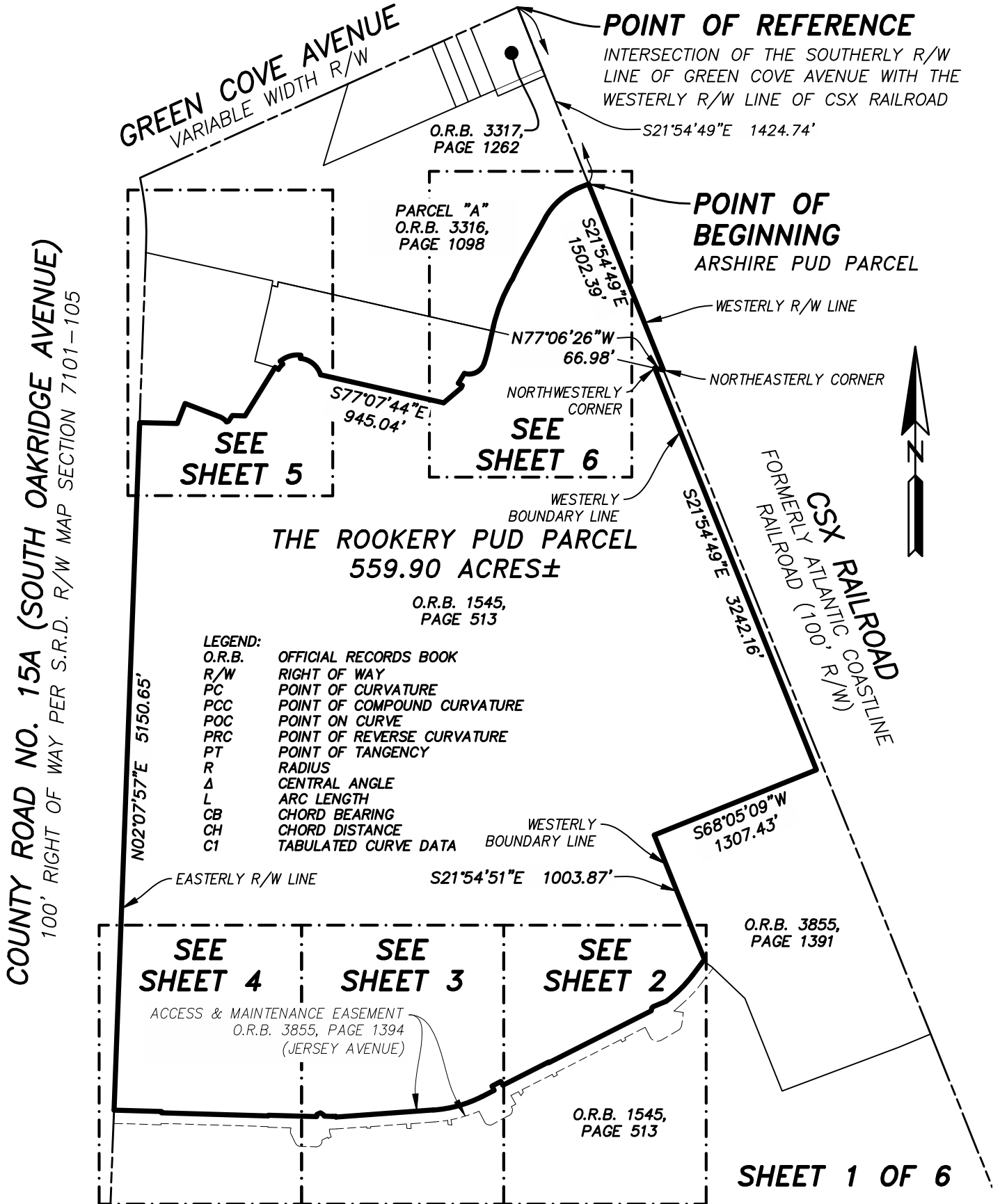
subtended by a chord bearing and distance of North $16^{\circ}08'00''$ East, 108.12 feet; thence North $12^{\circ}52'16''$ East, 174.12 feet to the point of curvature of a curve concave Easterly having a radius of 1250.00 feet; thence Northerly along the arc of said curve, through a central angle of $17^{\circ}35'55''$, an arc length of 383.94 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $21^{\circ}40'14''$ East, 382.43 feet; thence Northeasterly along the arc of a non-tangent curve concave Southeasterly having a radius of 1441.24 feet, through a central angle of $05^{\circ}53'59''$, an arc length of 148.41 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $26^{\circ}05'53''$ East, 148.34 feet; thence North $29^{\circ}02'53''$ East, 373.29 feet to the point of curvature of a curve concave Southeasterly having a radius of 517.02 feet; thence Northeasterly along the arc of said curve, through a central angle of $39^{\circ}09'19''$, an arc length of 353.33 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $48^{\circ}37'32''$ East, 346.49 feet; thence North $68^{\circ}05'11''$ East, along a non-tangent line, 70.00 feet to the Point of Beginning.

Containing 559.90 acres, more or less.

SKETCH TO ACCOMPANY DESCRIPTION OF

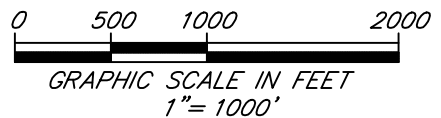
Item # 2.

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, AND A PORTION OF PARCEL "A" AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3316, PAGE 1098, BOTH OF THE PUBLIC RECORDS OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.



GENERAL NOTES:

- 1) THIS IS NOT A SURVEY.
- 2) BEARINGS BASED ON THE WESTERLY RIGHT OF WAY LINE OF CSX RAILROAD, BEING SOUTH 21°54'49" EAST.



ETM
Surveying & Mapping, Inc.
VISION • EXPERIENCE • RESULTS

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



Digital Signature by: Bob L. Pittman, P.S.M.

14775 Old St. Augustine Road, Jacksonville, FL. 32258
Tel: (904) 642-8550 Fax: (904) 642-4165
Certificate of Authorization No.: LB 3624

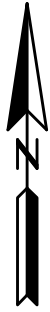
SCALE: 1"=1000'
DATE: MARCH 3, 2022

BOB L. PITTMAN
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA PSM No. 4827

A PORTION OF SECTION 38 OF THE GEORGE I.F. CLARKE GRANT, TOWNSHIP SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA, BEING A PORTION OF THOSE DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1545, PAGE 513, AND A PORTION OF PARCEL "A" AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3316, PAGE 1098, BOTH OF THE PUBLIC RECORDS OF SAID COUNTY.

MATCHLINE SEE SHEET 1

THE ROOKERY PUD PARCEL
559.90 ACRES±



O.R.B. 1545,
PAGE 513

WESTERLY
BOUNDARY LINE
S21°54'51"E 1003.87'

S37°01'31"W 149.07'
R=955.00'
Δ=16°37'06"
L=276.99'
CB=S45°20'05"W
CH=276.02'

S67°24'13"W 105.10'

S53°45'05"W 12.16'

S13°14'26"W 24.72'

NORTHERLY LINE

N26°52'32"W 5.00'

S63°07'28"W 859.11'

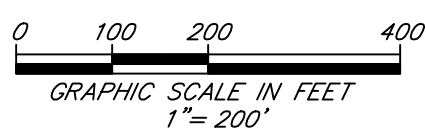
S63°07'28"W 382.73'

ACCESS & MAINTENANCE EASEMENT
O.R.B. 3855, PAGE 1394
(JERSEY AVENUE)

O.R.B. 1545,
PAGE 513

MATCHLINE SEE SHEET 3

- LEGEND:
- O.R.B. OFFICIAL RECORDS BOOK
 - R/W RIGHT OF WAY
 - PC POINT OF CURVATURE
 - PCC POINT OF COMPOUND CURVATURE
 - POC POINT ON CURVE
 - PRC POINT OF REVERSE CURVATURE
 - PT POINT OF TANGENCY
 - R RADIUS
 - Δ CENTRAL ANGLE
 - L ARC LENGTH
 - CB CHORD BEARING
 - CH CHORD DISTANCE
 - C1 TABULATED CURVE DATA



PREPARED BY:
ETM SURVEYING & MAPPING, INC.
 14775 OLD ST. AUGUSTINE ROAD
 JACKSONVILLE, FL 32258 (904) 642-8550
 CERTIFICATE OF AUTHORIZATION NO. _____

SHEET 2 OF 6
 SEE SHEET 1 FOR GENERAL NOTES.

A PORTION OF SECTION 38 OF THE GEORGE I.F. CLARKE GRANT, TOWNSHIP SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA, BEING A PORTION OF THOSE DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1545, PAGE 513, AND A PORTION OF PARCEL "A" AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3316, PAGE 1098, BOTH OF THE PUBLIC RECORDS OF SAID COUNTY.

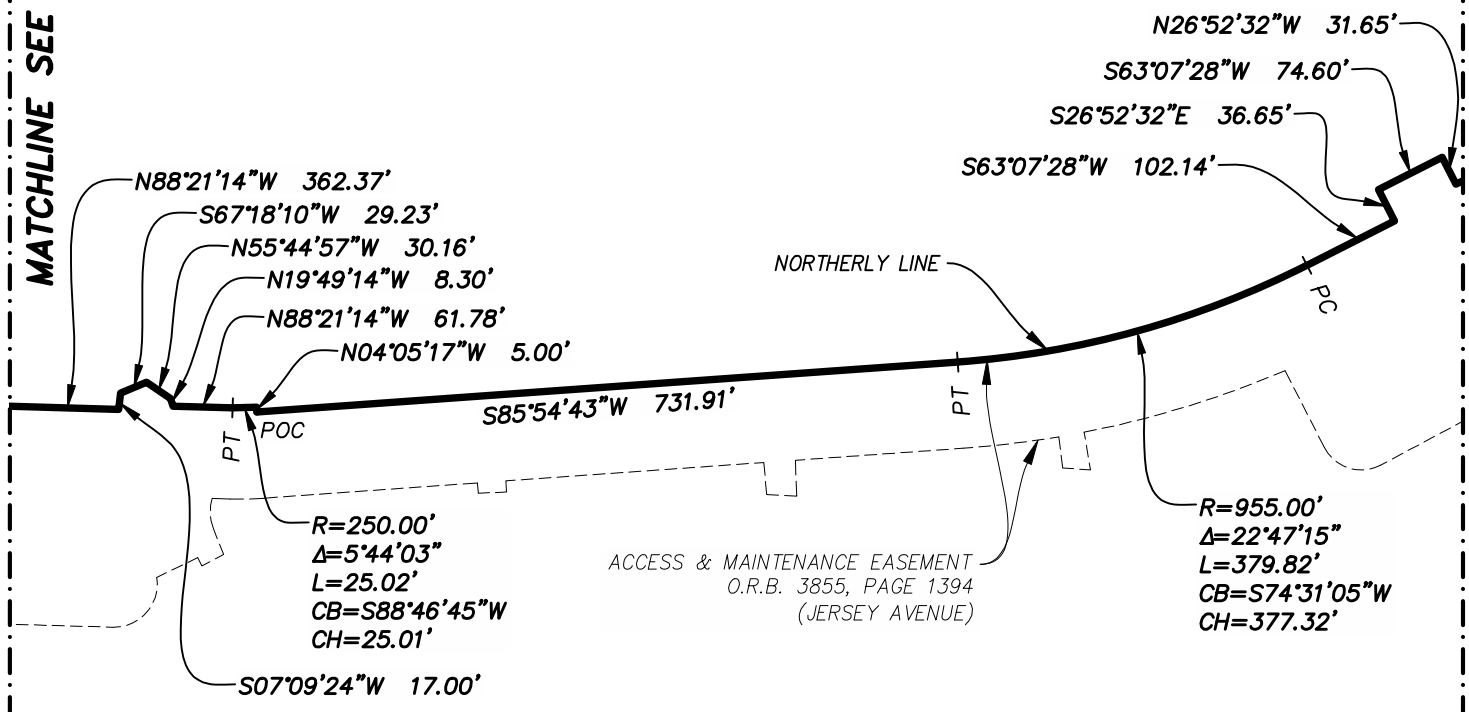


THE ROOKERY PUD PARCEL
559.90 ACRES±

O.R.B. 1545,
PAGE 513

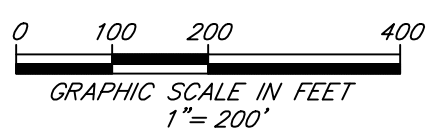
MATCHLINE SEE SHEET 4

MATCHLINE
SEE SHEET 2



O.R.B. 1545,
PAGE 513

- LEGEND:
- O.R.B. OFFICIAL RECORDS BOOK
 - R/W RIGHT OF WAY
 - PC POINT OF CURVATURE
 - PCC POINT OF COMPOUND CURVATURE
 - POC POINT ON CURVE
 - PRC POINT OF REVERSE CURVATURE
 - PT POINT OF TANGENCY
 - R RADIUS
 - Δ CENTRAL ANGLE
 - L ARC LENGTH
 - CB CHORD BEARING
 - CH CHORD DISTANCE
 - C1 TABULATED CURVE DATA



PREPARED BY:
ETM SURVEYING & MAPPING, INC.
14775 OLD ST. AUGUSTINE ROAD
JACKSONVILLE, FL 32258 (904) 642-8550
CERTIFICATE OF AUTHORIZATION NO. _____

SHEET 3 OF 6
SEE SHEET 1 FOR GENERAL NOTES.

A PORTION OF SECTION 38 OF THE GEORGE I.F. CLARKE GRANT, TOWNSHIP SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA, BEING A PORTION OF THOSE DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1545, PAGE 513, AND A PORTION OF PARCEL "A" AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3316, PAGE 1098, BOTH OF THE PUBLIC RECORDS OF SAID COUNTY.

MATCHLINE SEE SHEET 1

COUNTY ROAD NO. 15A (SOUTH OAKRIDGE AVENUE)
100' RIGHT OF WAY PER S.R.D. R/W MAP SECTION 7101-105
N02°07'57"E 5150.65'



THE ROOKERY PUD PARCEL
559.90 ACRES±

O.R.B. 1545,
PAGE 513

MATCHLINE SEE SHEET 3

EASTERLY R/W LINE

N88°21'14"W 355.52'

N01°38'46"E 10.00'

S01°38'46"W 5.00'

N88°21'14"W 800.00'

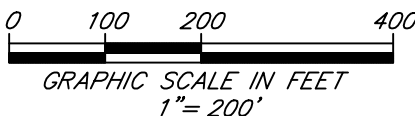
ACCESS & MAINTENANCE EASEMENT
O.R.B. 3855, PAGE 1394
(JERSEY AVENUE)

NORTHERLY LINE

N88°21'14"W 362.37'

O.R.B. 1545,
PAGE 513

- LEGEND:
- O.R.B. OFFICIAL RECORDS BOOK
 - R/W RIGHT OF WAY
 - PC POINT OF CURVATURE
 - PCC POINT OF COMPOUND CURVATURE
 - POC POINT ON CURVE
 - PRC POINT OF REVERSE CURVATURE
 - PT POINT OF TANGENCY
 - R RADIUS
 - Δ CENTRAL ANGLE
 - L ARC LENGTH
 - CB CHORD BEARING
 - CH CHORD DISTANCE
 - C1 TABULATED CURVE DATA

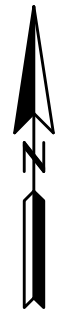


PREPARED BY:
ETM SURVEYING & MAPPING, INC.
 14775 OLD ST. AUGUSTINE ROAD
 JACKSONVILLE, FL 32258 (904) 642-8550
 CERTIFICATE OF AUTHORIZATION NO.

SHEET 4 OF 6
 SEE SHEET 1 FOR GENERAL NOTES.

A PORTION OF SECTION 38 OF THE GEORGE I.F. CLARKE GRANT, TOWNSHIP SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA, BEING A PORTION OF THOSE DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1545, PAGE 513, AND A PORTION OF PARCEL "A" AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3316, PAGE 1098, BOTH OF THE PUBLIC RECORDS OF SAID COUNTY.

CURVE TABLE					
CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C1	175.00'	16°53'45"	51.61'	N40°10'24"E	51.42'
C2	198.38'	47°45'50"	165.38'	N73°41'49"E	160.63'
C3	175.00'	67°09'24"	205.12'	S51°03'13"E	193.58'



PARCEL "A"
O.R.B. 3316,
PAGE 1098

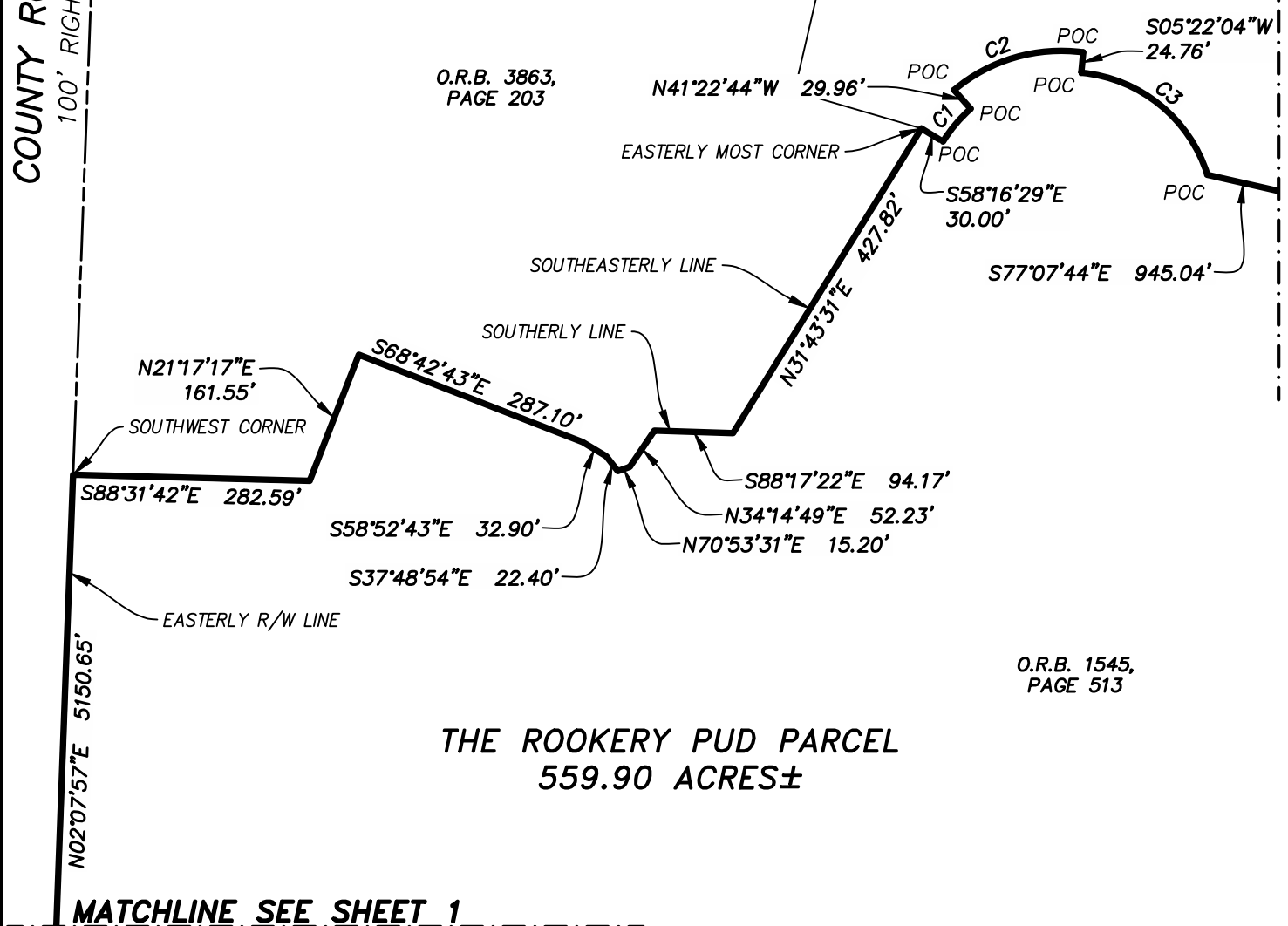
COUNTY ROAD NO. 15A (SOUTH OAKRIDGE AVENUE)
100' RIGHT OF WAY PER S.R.D. R/W MAP SECTION 7101-105

- LEGEND:
- O.R.B. OFFICIAL RECORDS BOOK
 - R/W RIGHT OF WAY
 - PC POINT OF CURVATURE
 - PCC POINT OF COMPOUND CURVATURE
 - POC POINT ON CURVE
 - PRC POINT OF REVERSE CURVATURE
 - PT POINT OF TANGENCY
 - R RADIUS
 - Δ CENTRAL ANGLE
 - L ARC LENGTH
 - CB CHORD BEARING
 - CH CHORD DISTANCE
 - C1 TABULATED CURVE DATA

MATCHLINE
SEE SHEET 1

O.R.B. 1545,
PAGE 513

O.R.B. 3863,
PAGE 203

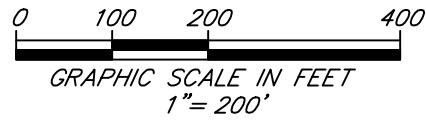


O.R.B. 1545,
PAGE 513

THE ROOKERY PUD PARCEL
559.90 ACRES±

MATCHLINE SEE SHEET 1

SHEET 5 OF 6
SEE SHEET 1 FOR GENERAL NOTES.



PREPARED BY:
ETM SURVEYING & MAPPING, INC.
14775 OLD ST. AUGUSTINE ROAD
JACKSONVILLE, FL 32258 (904) 642-8550
CERTIFICATE OF AUTHORIZATION NO. _____

A PORTION OF SECTION 38 OF THE GEORGE I.F. CLARKE GRANT, TOWNSHIP SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA, BEING A PORTION OF THOSE DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1545, PAGE 513, AND A PORTION OF PARCEL "A" AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3316, PAGE 1098, BOTH OF THE PUBLIC RECORDS OF SAID COUNTY.



POINT OF BEGINNING
ARSHIRE PUD PARCEL

R=517.02'
Δ=39°09'19"
L=353.33'
CB=N48°37'32"E
CH=346.49'

N68°05'11"E
70.00'

WESTERLY R/W LINE

FORMERLY CSX RAILROAD
ATLANTIC COASTLINE
RAILROAD (100' R/W)

S21°54'49"E
1502.39'

R=1441.24'
Δ=5°53'59"
L=148.41'
CB=N26°05'53"E
CH=148.34'

R=1250.00'
Δ=17°35'55"
L=383.94'
CB=N21°40'14"E
CH=382.43'

PARCEL "A"
O.R.B. 3316,
PAGE 1098

THE ROOKERY PUD PARCEL
559.90 ACRES±

N12°52'16"E 174.12'

R=120.00'
Δ=87°21'29"
L=182.96'
CB=N63°04'27"E
CH=165.75'

R=950.00'
Δ=6°31'27"
L=108.17'
CB=N16°08'00"E
CH=108.12'

O.R.B. 1545,
PAGE 513

N31°37'11"E
86.00'

N60°40'11"W
35.15'

N27°02'28"E
20.00'

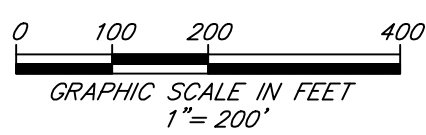
N49°36'09"E
172.16'

S77°07'44"E 945.04'

MATCHLINE
SEE SHEET 1

MATCHLINE SEE SHEET 1

- LEGEND:
- O.R.B. OFFICIAL RECORDS BOOK
 - R/W RIGHT OF WAY
 - PC POINT OF CURVATURE
 - PCC POINT OF COMPOUND CURVATURE
 - POC POINT ON CURVE
 - PRC POINT OF REVERSE CURVATURE
 - PT POINT OF TANGENCY
 - R RADIUS
 - Δ CENTRAL ANGLE
 - L ARC LENGTH
 - CB CHORD BEARING
 - CH CHORD DISTANCE
 - C1 TABULATED CURVE DATA



PREPARED BY:
ETM SURVEYING & MAPPING, INC.
14775 OLD ST. AUGUSTINE ROAD
JACKSONVILLE, FL 32258 (904) 642-8550
CERTIFICATE OF AUTHORIZATION NO.

SHEET 6 OF 6
SEE SHEET 1 FOR GENERAL NOTES.

ORDINANCE NO. O-17-2024

AN ORDINANCE AMENDING THE ROOKERY PLANNED UNIT DEVELOPMENT TO ALLOW FOR DUPLEXES AS AN ADDITIONAL RESIDENTIAL PRODUCT TYPE; PROVIDING FOR CONFLICTS, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council (the "Council") of the City of Green Cove Springs, Florida (the "City") has approved a planned unit development known as the Rookery (formerly Ayrshire) under Ordinance No. O-06-2021; and

WHEREAS, the City Council (the "Council") of the City of Green Cove Springs, Florida (the "City") has approved to add a portion of Parcel 016515-002-00 to the PUD Ordinance No. O-09-2022; and

WHEREAS, paragraph C thereof allows for single-family and townhome dwelling; and

WHEREAS, the owner is now requesting the addition of duplexes as an additional residential project type; and

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

SECTION 1. RECITALS. The above recitals are true and correct and are hereby incorporated herein by reference.

SECTION 2. AUTHORITY. This resolution is adopted pursuant to the provisions of the Code; Article VIII, Section 2, Florida Constitution; sections 166.021 and 166.041, Florida Statutes, the City Charter of the City of Green Cove Springs; and other applicable provisions of law.

SECTION 3. DEFINITIONS AND INTERPRETATIONS. Unless otherwise defined herein, all capitalized terms in this resolution shall have the meanings set forth in Chapter 70 of the Code.

SECTION 4. APPROVAL OF MITIGATION CREDIT POLICY.

- (A) The Council hereby finds that the Mitigation Credit Policy is fair and reasonable and, therefore, approves the Mitigation Credit Policy attached hereto as Appendix
- (B) The Board recognizes the benefits provided by privately maintained Mitigation Facilities. Properties supporting private Stormwater Mitigation Facilities should be credited for the public benefits they provide. Accordingly, the number of ERUs otherwise attributable to such property shall be adjusted by a Mitigation Credit determined in accordance with the Mitigation Credit Policy.
- (C) In order to receive a Mitigation Credit for which property is eligible, prior to August

15, 2020, and, thereafter, prior to the May 1 preceding the Fiscal Year for which reapplication is required, the property owner shall file a Mitigation Credit application with the City Manager on a form approved by the City. The property owner may be required to provide the City Manager with "as built" drawings of the Stormwater management facility sealed by a Florida registered professional engineer, a certification from a Florida registered professional engineer as to the standards of retention and detention achieved by the facility, evidence of compliance with any exemptions mandated under state law, or such other reasonable requirements as may be necessary to effectuate the purposes of this resolution.

- (D) The City Manager, with the assistance of other members of the administrative staff of the City, shall, within forty-five (45) days after the filing of such application, review the application and such other supporting data that may be filed therewith and make such further investigation as may be reasonably required in order to determine if the applicant is qualified for a Mitigation Credit pursuant to this resolution.
- (E) The City Manager shall furnish his or her written decision to such applicant by United States mail, postage prepaid, addressed to the applicant at the address stated on the application.
- (F) No Mitigation Credit shall be applied for service provided to property by a Mitigation Facility constructed or maintained with City funds. However, a Mitigation Credit shall be applied for service provided to property by a regional Mitigation Facility if the developer of the property provided a capital contribution to the regional facility in lieu of constructing on-site facilities.
- (G) Upon approval, Mitigation Credits shall be valid and applicable for five (5) subsequent Fiscal Years. However, Mitigation Credits previously granted to a property may be revoked at any time by the City upon notice to the property owners and a finding of ineligibility. Upon notification by the City, property owners must reapply in accordance with this resolution.

SECTION 5. EFFECTIVE DATE. Upon its adoption by the City Council, this ordinance shall become effective immediately.

INTRODUCED AND APPROVED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, IN REGULAR SESSION THIS 6TH DAY OF AUGUST, 2024.

CITY OF GREEN COVE SPRINGS, FLORIDA

Steven R. Kelley, Mayor

ATTEST:

Erin West, City Clerk

APPROVED AS TO FORM ONLY:

L. J. Arnold, III, City Attorney

**PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF
THE CITY OF GREEN COVE SPRINGS, FLORIDA, IN REGULAR SESSION
THIS 3rd DAY OF SEPTEMBER, 2024.**

CITY OF GREEN COVE SPRINGS, FLORIDA

Steven R. Kelley, Mayor

ATTEST:

Erin West, City Clerk

APPROVED AS TO FORM ONLY:

L. J. Arnold, III, City Attorney

ORDINANCE NO. O-09-2022

AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA REZONING ±21.3 ACRES OF PROPERTY, A PORTION OF PARCEL ID # 016515-002-00, MORE PARTICULARLY DESCRIBED BY EXHIBIT “A”, FROM RECREATION TO PLANNED UNIT DEVELOPMENT (PUD); AND AMENDING THE PUD APPROVED IN O-06-2021, FOR PARCEL ID # 016515-008-00, ALSO KNOWN AS THE ROOKERY, TO ADD THIS PORTION OF PARCEL ID # 016515-002-00 INTO THE PUD, REVISE THE LEGAL DESCRIPTION FOR THE PUD PROPERTY AND AMEND THE WRITTEN PUD DESCRIPTION; PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the City approved a Planned Unit Development known as the Rookery (formerly Ayrshire) under Ordinance O-06-2021; and

WHEREAS, the City has received a request to amend the Future Land Use Map for a portion of parcel 016515-002-00 from Public to Neighborhood; and

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

WHEREAS, the City has received a request to rezone said portion of parcel number 016515-002-00 from Recreation to Planned Unit Development (PUD); and

WHEREAS, the PUD approved for the Rookery in O-06-2021 will be replaced by this ordinance; and

WHEREAS, the legal description of the Rookery PUD must be amended to reflect the land swap between the City and the applicant for the Rookery; 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 Recreation to PUD:

A portion of Tax Parcel ID# 38-06-26-016515-002-00, in accordance with the legal description found in Exhibit “A” and map found in Exhibit “B” attached hereto.

Section 2. Rookery PUD Amended. The Rookery PUD, for parcel number 016515-008-00, is hereby revised and replaced.

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. 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 38-06-26-016515-002-00

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 as Parcel “A” and recorded in Official Records Book 3316, page 1098, 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°54’49” East, along said Westerly right of way line, 1424.74 feet to the Point of Beginning.

From said Point of Beginning, thence continue South 21°54’49” East, along said Westerly right of way line, 1502.39 feet to the Northeast corner of those lands described and recorded in Official Records Book 3855, page 1391, of said Public Records; thence North 77°06’26” West, departing said Westerly right of way line and along the Northerly line of last said lands and along the Southerly line of said Parcel “A”, 1313.50 feet; thence North 12°52’16” East, departing said Southerly line, 31.45 feet to the point of curvature of a curve concave Easterly having a radius of 1250.00 feet; thence Northerly along the arc of said curve, through a central angle of 17°35’55”, an arc length of 383.94 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 21°40’14” East, 382.43 feet; thence Northeasterly along the arc of a non-tangent curve concave Southeasterly having a radius of 1441.24 feet, through a central angle of 05°53’59”, an arc length of 148.41 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 26°05’53” East, 148.34 feet; thence North 29°02’53” East, 373.29 feet to the point of curvature of a curve concave Southeasterly having a radius of 517.02 feet; thence Northeasterly along the arc of said curve, through a central angle of 39°09’19”, an arc length of 353.33 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 48°37’32” East, 346.49 feet; thence North 68°05’11” East, along a non-tangent line, 70.00 feet to the Point of Beginning.

Containing 21.30 acres, more or less.

EXHIBIT "B"

Map of Rezoning for a portion of 016515-002-00

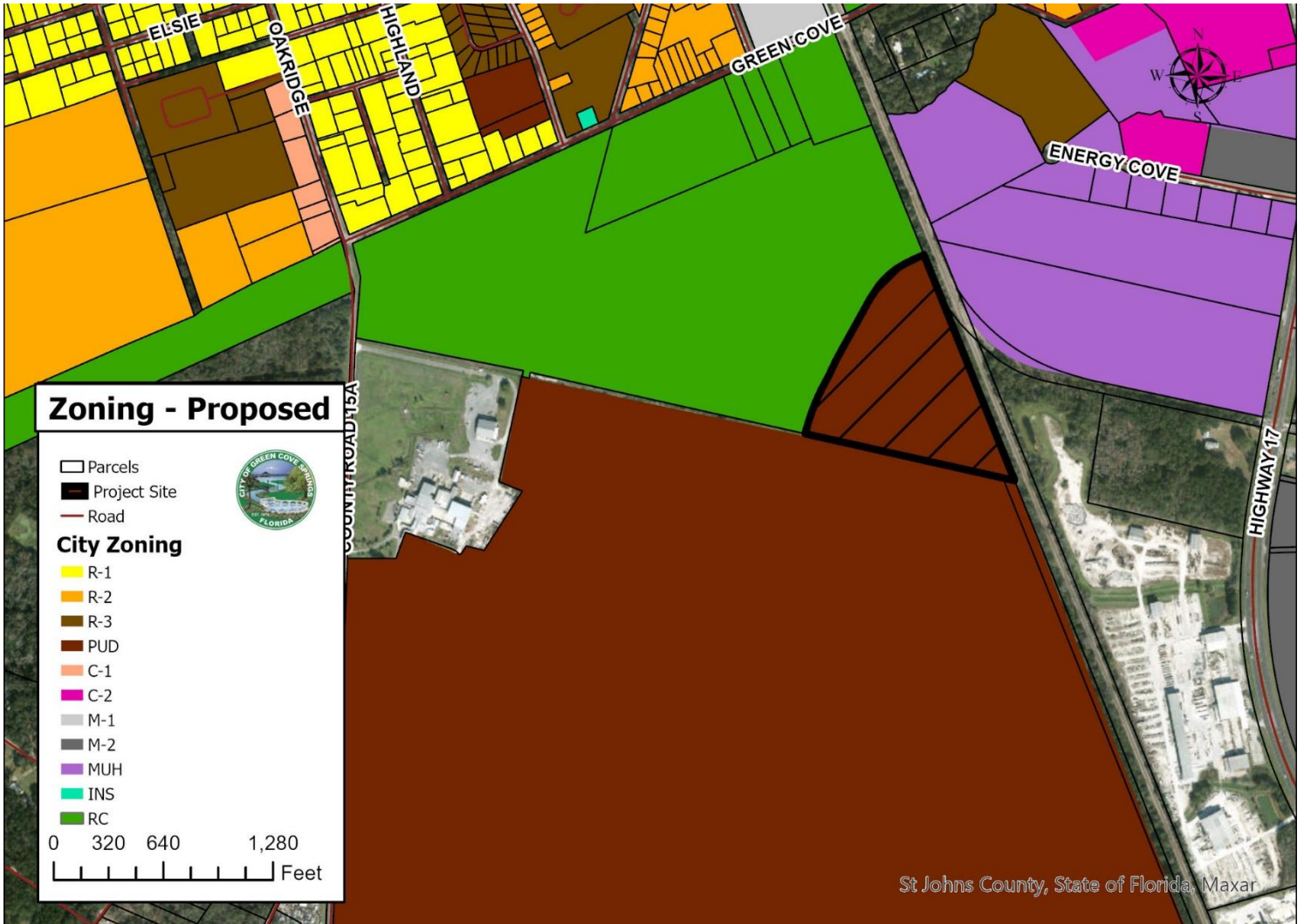


Exhibit “C”

Revised Legal Description for Rookery PUD

Exhibit "D"

Map of PUD amendment for the Rookery, 016515-008-00

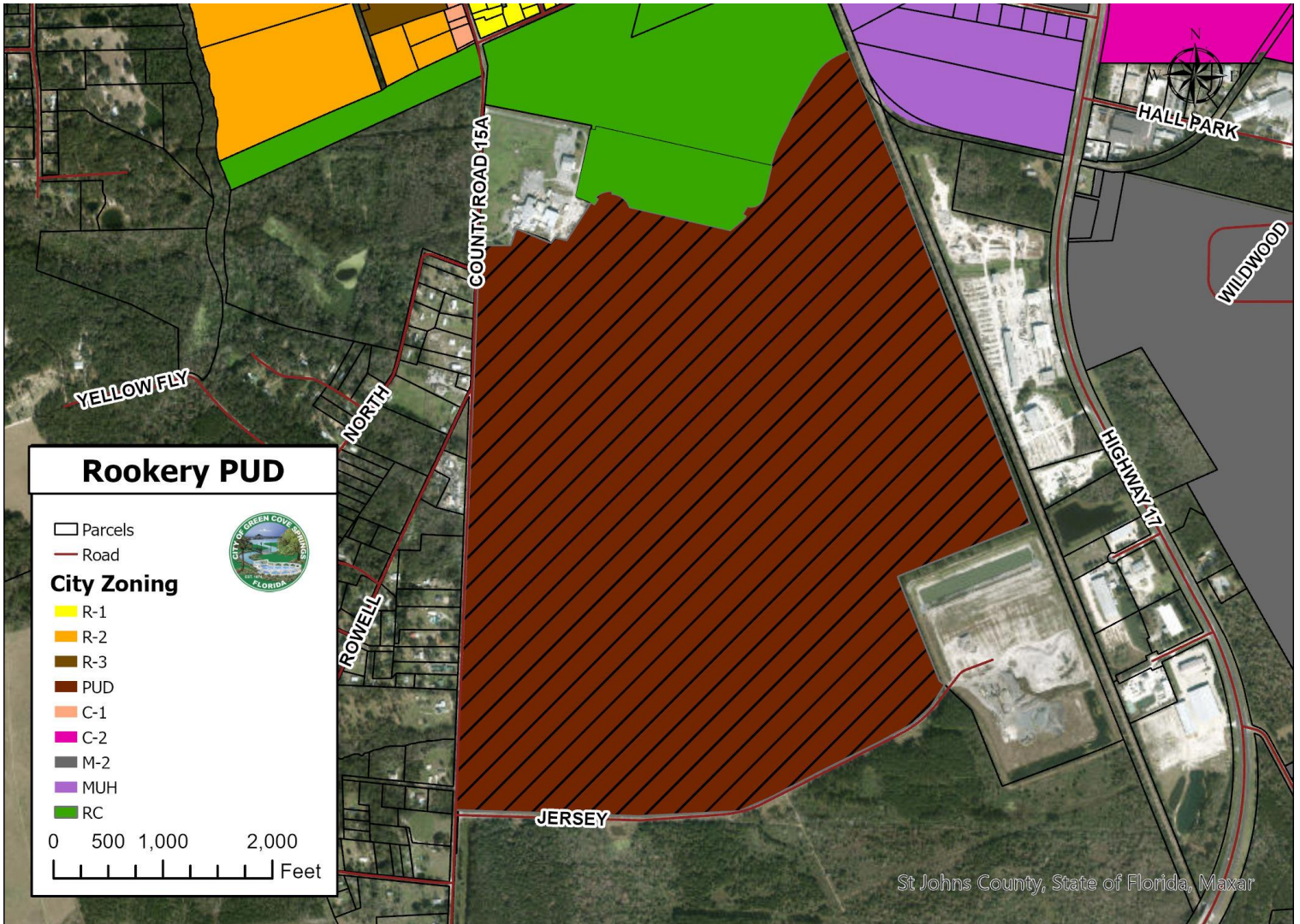


Exhibit “E”

PUD for Rookery Development

Rookery Planned Unit Development
(formerly Ayrshire)

City of Green Cove Springs, Florida

March 14, 2022

Team Roster

Owners:

Gustafson's Cattle, Inc.
P.O. Box 600337
Jacksonville, Florida 32260

Applicant:

D.R. Horton, Inc. – Jacksonville
Bob Porter, Anthony Sharp, John Gislason
4220 Race Track Road
St. Johns, Florida 32259
(904) 421-4612

Land Planning/Civil Engineering:

Dunn & Associates, Inc.
Vince Dunn, David Taylor
8647 Baypine Road, Suite 200
Jacksonville, Florida 32256
(904) 363-8916

Transportation:

Chindalur Traffic Solutions, Inc.
Rajesh Chindalur
8833 Perimeter Park Boulevard, Suite 103
Jacksonville, Florida 32216
(904) 619-3368

Legal:

Rogers Towers, P.A.
Ellen Avery-Smith, Esq.
100 Whetstone Place, Suite 200
St. Augustine, Florida 32086
(904) 825-1615

Exhibit List:

Exhibit "A" – Legal Description of the Property
Exhibit "B" – Conceptual Development Plan
Exhibit "C" – Collector Road Typical Section
Exhibit "D" – Typical Landscape Plan

A. Development Summary

This application proposes to amend and restate the Planned Unit Development (“PUD”) text for the Ayrshire PUD, approved by the Green Cove Springs City Council on August 3, 2021 as Ordinance No. 06-2021. The proposed revisions include changing the PUD name from Ayrshire to Rookery.

The PUD includes approximately 560 acres (the “Property”), which was rezoned in August 2021 from Agriculture (AG) and Industrial Select (IS) (Clay County) to PUD in the City of Green Cove Springs (the “Original PUD”). The Property is owned by Gustafson’s Cattle, Inc. and is under contract for purchase by D.R. Horton, Inc. – Jacksonville (the “Applicant”). A legal description of the Property is attached as **Exhibit “A”**.

The Original PUD was a companion to applications to annex the Property into the City of Green Cove Springs and to change the Future Land Use Map designation from Industrial and Rural Fringe (Clay County) to Residential Low Density in the City. The annexation and Comprehensive Plan Amendment applications were approved by the City Council on August 3, 2021.

The Rookery PUD is consistent with the Residential Low Density Future Land Use Map (“FLUM”) designations for the Property set forth in the City of Green Cove Springs Comprehensive Plan.

The Property is located east of County Road 15A, north and west of U.S. Highway 17 and south of the current corporate limits of Green Cove Springs. The City owns a vacant regional park site to the north of the Property. The rest of the Property is surrounded by industrial and residential lands, some of which are developed and others are vacant.

The Applicant will provide roads, utilities, parks and other infrastructure to serve the Property. A majority of the on-site wetlands will be preserved and set aside to enhance the natural attributes of the site.

Unless specified otherwise in this PUD text and the PUD ordinance approving the same, the project will comply with applicable provisions of the City of Green Cove Springs Land Development Code (the “Code”).

B. The Property

The Property includes approximately 560 acres. Wetlands will be delineated pursuant to requirements of the St. Johns River Water Management District (“District”) and Florida Department of Environmental Protection (“FDEP”), and any proposed wetland impacts will be permitted by the District and Corps. A conceptual site plan for the Property is illustrated on the Conceptual Development Plan attached as **Exhibit “B”**.

C. Residential Development

The Property will include a maximum of 2,100 residential units, which will include single-family and townhome dwellings. No more than 30 percent of the residential units will be townhomes. Approximately 462 acres of the Property are developable.

The Property will also include parks and other recreational areas to serve the proposed residential development. Temporary construction offices and trailers, and essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television and electric and cellular communication towers will be permitted within residential portions of the project.

D. Non-residential Development

There will be no non-residential development within the Property except for uses ancillary to the residential development described in Section C hereof.

E. Site Development Criteria

1. Residential Criteria

a. Single-Family Residential:

1. Setbacks: The minimum building setbacks are as follows:

- a. A minimum of 50 feet from the right-of-way of County Road 15A and 20 feet from the primary internal access road labeled Jersey Avenue on the Conceptual Development Plan.
- b. Lot setbacks are: Front Yard: 20 feet from face of garage, 15 feet from front facade of house; 10 feet on Corners (with no vehicular access from Corner front yard)

Rear Yard: 10 feet

Side Yard: 6.5 feet for 43-foot-wide lots; 5 feet for all other lots

2. Building height: Buildings shall not exceed 35 feet in height.
3. Minimum lot size: 4,300 square feet.
4. Minimum lot width: 43 feet. No more than 50 percent of lots within the Project will be 43 feet wide. All other lots will be a minimum of 50 feet wide.
5. Minimum home size: 1,200 square feet.
6. Maximum impervious surface ratio: 40 percent for the Property (the entire PUD).
7. Maximum lot coverage by buildings: 60 percent per Lot.

8. Density: There are approximately 560 acres designated for residential use within the Property. The Residential Low Density Future Land Use designation of the Property allows a maximum density of four (4) units per acre. The proposed density of 3.75 units per acre is consistent with the requirements for the Residential Low Density Future Land Use category set forth in the Green Cove Springs Comprehensive Plan.
9. Parking: Each residence will have two (2) parking spaces. Single-family homes will have enclosed garages that are a minimum of 200 square feet (10 feet by 20 feet). Recreational vehicles, boats and trailers shall not be parked in front yards, or in the minimum required side yards and shall be screened from view. The Applicant shall record a homeowners' association ("HOA") declaration of restrictive covenants against title to the Property that limits parking to one side of the street.

2. Townhome Criteria

- a. Setbacks: The minimum building setbacks are as follows:
 1. A minimum of 50 feet from the right-of-way of County Road 15A and 20 feet from the primary internal access road labeled Jersey Avenue on the Conceptual Development Plan.
 2. Lot setbacks are: Front Yard: 15 feet
Rear Yard: 10 feet
Side Yard: 10 feet from property lines, 0 feet for interior lots with common wall lines, minimum 20 feet of separation between buildings
 - b. Building height: Townhome buildings shall not exceed 45 feet in height.
 - c. Minimum lot size: 1,200 square feet
 - d. Minimum lot width: 15 feet.
 - e. Maximum impervious surface ratio: 40 percent for the Property (the entire PUD).
 - f. Maximum lot coverage by buildings: 75 percent per townhome parcel.
 - g. Density. See Section E.1.a.7 for residential density calculation.
 - h. Parking: Townhome units will have two (2) parking spaces per unit. The townhome area shall also include one (1) guest parking space for each four (4) dwelling units.
3. Signage. On-site signs shall be permitted within the Property. Project signage shall meet the applicable requirements of Code Sections 125-13 and 125-14 except as follows:

- a. At each project entrance along County Road 15A, Jersey Avenue, and U.S. 17, the Applicant shall be permitted either two (2) ground signs on each side of the entry road or one (1) two-sided ground sign on one side of the road. For example, if the ground sign is two-sided, it can be “rectangular” shaped with the sign display on each side or “V” shaped, where you can read the sign coming from either direction. The sign advertising display can be maximum of 32 square feet for each side of the sign for a total of 64 square feet, if the sign is two-sided. The square foot measurement will be based on the letters only, if the sign display is letters mounted to a wall. If the sign is a mounted panel, the square foot measurement will be based on the size of the panel. These signs will not exceed 12 feet in height with an architectural embellishment (i.e., a tower or column) that can exceed the sign height of 12 feet. Each sign will also be allowed to have an additional architectural enhancement, such as a water feature element (i.e., a fountain). At the roundabout, that is internal to the development, a sign with an architectural embellishment, such as a fountain, that relates to the roundabout geometrically, will be allowed. Other signs that can be included are neighborhood signs, community wayfinding signs, and street themed signs that enhance the development. The generation locations of these signs will be depicted on applicable construction plans. Project signs may be lighted or illuminated. The Applicant may construct a fence, masonry wall or berm or install landscaping and/or vegetation (or provide a combination thereof) to compliment the entrance feature. Architectural embellishment, including but not limited to height, size and location, is subject to staff approval based on compatibility with the proposed development, roadway and surrounding properties related to each proposed sign.
- b. Construction and/or advertising signs shall be allowed as on-site temporary signs. Such signs must be removed within 30 days after the last unit is sold. The signs may be two (2) sided with each face limited to 16 square feet.
- c. Various locational, directional, model home and traffic control signs shall be allowed on site to direct traffic and for identification of sales offices, recreation areas, etc. Such signs will be a maximum of six (6) square feet in size.

G. Infrastructure

1. Drainage: A master stormwater management system shall be owned, constructed and maintained by a homeowners’ association (“HOA”) or a community development district (“CDD”). The stormwater management system will be constructed in accordance with the requirements of the City of Green Cove Springs and the St. Johns River Water Management District, including the construction of pond sides that slope gently into the ponds for safety purposes. The City shall have no responsibility for the

ownership, operation or maintenance of stormwater ponds located within the Property, and the HOA or CDD will assume responsibility for all issues related to maintenance and operation of such ponds. The HOA or CDD shall have the right, but not the obligation, to install fences around some or all stormwater ponds within the Property; provided, however, that if pond slopes exceed 4:1, the HOA or CDD will be required to install fencing around applicable ponds. Final HOA or CDD documents will be submitted with the final plat application. The conceptual master stormwater plan for the entire PUD shall be approved prior to the City's approval of the first final plat.

2. Site Access: Vehicular access within the Property connects off-site to County Road 15A (aka South Oakridge Avenue) and U.S. Highway 17 in the locations depicted on the Conceptual Development Plan. The primary site access collector road will be constructed in accordance with the typical section attached as Exhibit "C". In the event the primary site access collector road is not connected to U.S. Highway 17, the Applicant will provide an updated traffic study that removes the U.S. Highway 17 connection prior to the City's approval of a plat containing the 231st lot within the Property. Following completion of such traffic study, the City and the Applicant will negotiate in good faith a transportation proportionate share agreement, pursuant to Section 163.3180(5)(h), Florida Statutes, to address roadway improvements needed to mitigate for project traffic impacts. Streets interior to the project shall be publicly dedicated. Traffic calming techniques, including but not limited to raised intersections, traffic circles and shared multi-modal spaces, will be encouraged. With respect to County Road 15A, subject to City approval, the Applicant will construct or pay for the construction of certain traffic calming modes, which may include but not limited to speed humps and crosswalks, to allow safe passage of school children across the street to Charles E. Bennett Elementary School. Such traffic calming devices shall be installed on the City-maintained portion of County Road 15A south of State Road 16. Until the internal primary site access collector road to U.S. Highway 17 is completed, the Applicant will also instruct its construction contractors and other tradespeople who drive commercial and other large vehicles to access the Project from the south, via U.S. Highway 17 and then north on County Road 15A. Following completion of the primary site access collector road, the Applicant will instruct its construction contractors and other tradespeople who drive commercial and other large vehicles to access the Project from U.S. 17 either via the primary site access collector road or heading north on County Road 15A.
3. Pedestrian Circulation: An eight (8)-foot multi-use path shall be provided along one side of the primary access collector road from U.S. 17 (if the PUD is connected to U.S. 17) to County Road 15A (including east of the railroad track). No sidewalk shall be provided on the other side of such collector road. Internal project pedestrian circulation will be provided via sidewalks on one side of internal streets. No sidewalks will be provided

on the other side of internal streets. Sidewalks shall be five (5) feet in width and shall be provided on one side of residential streets. Sidewalks will connect to all project park sites. Any sidewalks constructed along County Road 15A shall be six (6) feet in width, to the extent there is right-of-way adequate for six (6)-foot sidewalks.

4. Parks, Open Space and Recreational Facilities: The project will provide a minimum of five (5) acres of parks for every 1,000 residents, per Comprehensive Plan Policy 6.3.4. The project will be presumed to have 2.65 residents per unit for the purposes of calculating park requirements under this PUD. Based on this calculation, the project will provide a minimum of 27.825 acres of parks. The Applicant, its successors and assigns, will provide recreational facilities which may include an amenity center, swimming pool, playgrounds, tot lots, pickleball courts, dog parks, walking trails, multi-purpose trails and others to serve the community. The project will include an approximately ten (10)-acre passive park located adjacent to the large pond in the central portion of the Property that contains bird rookeries (the "Passive Park"). The Passive Park will be owned by a community development district and will be available for use by Rookery residents and members of the public. The Passive Park will contain walking trails and an observation tower overlooking the rookeries.
5. Solid Waste Collection: Solid waste collection will be provided by the City.
6. Utilities: All utilities within the Project shall be underground, to the extent feasible. As part of the subdivision approval of this project, Rookery will extend Green Cove Springs water and wastewater facilities to the initial phase of the development. Subsequent phases will be served by CCUA once its new water and wastewater plants are completed. The Applicant will submit an underground electric layout for the project to the City for approval prior to final Construction Improvement Plan approval.
7. Transportation Systems: All transportation systems will comply with applicable provisions of City Code Chapter 113, Article II, Division 2, except for (a) the primary access collector road, for which the typical section is attached as **Exhibit "C"**; (b) roadways will be designed with a minimum 45-foot paved radius for cul-de-sacs, with a minimum 50 feet of right-of-way and with a ten (10)-foot utility easement; and (c) except as otherwise set forth in this PUD ordinance and its exhibits.

H. Buffering and Landscaping

1. Perimeter Buffer: A natural or landscaped buffer a minimum of 30 feet wide shall be located along the perimeters of the Property, except that the buffer along County Road 15A shall be 95 feet wide (will include existing electric and other utility easements and a minimum 20 feet of natural or landscaped area) and the buffer along the railroad line and adjacent to the

property owned by Martin Marietta shall be 100 feet wide. The Applicant will be permitted to construct sidewalks within the perimeter buffer, in the general locations depicted on the Conceptual Development Plan. Buffer areas will be owned and maintained by an HOA or CDD.

2. Landscaping. A typical landscape plan for the Property is attached hereto as Exhibit "D". Tree mitigation and landscaping will comply with applicable provisions of Code Chapter 113, Article VI. Street trees for all roadways, including the north side of Jersey Avenue, shall comply with applicable provisions of City Code Section 113-244. Parking lots that contain more than 10 parking spaces shall meet applicable landscape requirements of City Code Section 113-246. Parking areas with ten (10) or fewer spaces will be required to provide a minimum of one (1) canopy tree, as defined by City Code, a minimum of 2.5 inches diameter breast height ("dbh") at the time of planting, which will be planted in an area a minimum size of 200 square feet. Such tree shall be irrigated through the establishment period. The Applicant will provide tree surveys for portions of the Property subject to development with the filing of construction plans for such areas. Such tree surveys shall show all existing trees 12 inches dbh or larger and shall detail which of such trees are proposed to be saved and removed. No tree surveys will be provided for areas of the Property that will remain undisturbed. A canopy tree of a minimum 2.5 inches dbh at the time of planting shall be planted on each single-family lot prior to the City's issuance of a certificate of occupancy. Such trees shall be irrigated through the establishment period.
3. Upland Buffers: An averaged 25-foot natural vegetative upland buffer shall be required and maintained between developed area and contiguous wetlands. The 25 feet shall be measured from the State jurisdictional wetland line.

I. Temporary Uses

Ten (10) percent of the homes within the PUD may be constructed as model homes with approved construction plans. The model homes may be built during construction of the infrastructure and may be used for sales, administration and construction offices. The City will not issue certificates of occupancy for model homes until related infrastructure construction has been completed; cleared for service and accepted by all permitting agencies, including the City. Parking for the model homes and sales offices will be located within the driveway or adjacent lot. Model homes will be required to meet applicable building code requirements for business occupancy. Development of the site and construction of the improvements will require temporary uses such as construction trailers, sales offices, temporary signage and temporary access. Temporary construction and sales trailers will be removed no later than 30 days following the issuance of a certificate of occupancy for the last home constructed on the Property. The Applicant shall be permitted to erect temporary on-site construction and real estate signage on the Property.

J. Accessory Uses

Standard residential accessory uses will be allowed within the residential building areas of the site, including but not limited to decks, swimming pools, patios, air conditioning units, walkways and sidewalks.

Accessory uses such as private garages/mother-in-law suites and storage buildings; home occupations in compliance with applicable provisions of City Code Section 117-789; model homes; guardhouses; air conditioning units and related heating/cooling units; swimming pools and pool equipment; fences, walls or hedges; gazebos and other open-air structures; boardwalks, docks, and other similar uses shall be permitted within the Property. Accessory uses shall comply with the applicable development criteria set forth in Section E of this PUD text.

The following criteria will apply to mother-in-law suites:

1. The unit shall be accessory to and on the same property as a single-family dwelling unit.
2. The unit shall be developed in conjunction with or after development of the principal dwelling unit and the owner of the property must reside within either the principal or the accessory dwelling unit.
3. Not more than one (1) accessory dwelling unit per single-family residential lot is permitted.
4. No accessory dwelling unit shall be sold separately from the principal dwelling unit. The accessory dwelling unit and the principal dwelling unit shall be located on a single lot or parcel, or on a combination of lots or parcels.
5. The air-conditioned floor area of the accessory dwelling unit shall not exceed 50 percent of the air-conditioned floor area of the principal structure, The accessory dwelling unit shall be no less than 200 square feet of air-conditioned floor area.
6. The unit shall meet the site development criteria specified in Section E of this PUD text.
7. The unit shall be designed so that the exterior façade material is similar in appearance (material and color) of the existing principal structure.
8. A minimum of one (1), but not more than two (2) parking spaces shall be provided for the accessory dwelling unit, in addition to the spaces required for the principal dwelling unit.
9. Construction of the accessory dwelling unit, in combination with all structures on the property, shall not cause the maximum lot coverage of this PUD to be exceeded.

-
10. The accessory dwelling unit shall be serviced by centralized water and wastewater.
 11. An accessory dwelling unit shall be treated as a townhome unit for impact fees.

K. Project Phasing

The project will be constructed in one (1), 20-year phase. Construction will be commenced by 2024 and shall be completed by December 31, 2044. For purposes of this PUD, “commencement” shall mean securing approved construction drawings. “Completion” shall be defined as the installation of horizontal infrastructure and City approval of as-builts.

L. Ownership Agreement

The Applicant, on behalf of itself and its successors and assigns, hereby agrees and stipulates to proceed with the proposed development in accordance with the PUD ordinance for this application as adopted by the Green Cove Springs City Council. The Applicant also agrees to comply with all conditions and safeguards established by the City of Green Cove Springs with respect to this Planned Unit Development application.

Exhibit "A"**Legal Description of the Property**

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 and a portion of Parcel "A" as described and recorded in Official Records Book 3316, page 1098, both of the Public Records of said county and 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°54'49" East, along said Westerly right of way line, 1424.74 feet to the Point of Beginning.

From said Point of Beginning, thence South 21°54'49" East, continuing along said Westerly right of way line, 1502.39 feet to the Northeast corner of those lands described and recorded in Official Records Book 3855, page 1391, of said Public Records; thence North 77°06'26" West, departing said Westerly right of way line and along the Northerly line of last said lands, 66.98 feet to the Northwesterly corner thereof; thence Southerly along the Westerly boundary line of last said lands the following 3 courses: Course 1, thence South 21°54'49" East, 3242.16 feet; Course 2, thence South 68°05'09" West, 1307.43 feet; Course 3, thence South 21°54'51" East, 1003.87 feet to a point lying on the Northerly line of that certain Access & Maintenance Easement described and recorded in Official Records Book 3855, page 1394, of said Public Records; thence Westerly along said Northerly line the following 26 courses: Course 1, thence South 37°01'31" West, departing said Westerly boundary line, 149.07 feet to the point of curvature of a curve concave Northwesterly having a radius of 955.00 feet; Course 2, thence Southwesterly along the arc of said curve, through a central angle of 16°37'06", an arc length of 276.99 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 45°20'05" West, 276.02 feet; Course 3, thence South 67°24'13" West, along a non-tangent line, 105.10 feet; Course 4, thence South 53°45'05" West, 12.16 feet; Course 5, thence South 13°14'26" West, 24.72 feet; Course 6, thence South 63°07'28" West, 859.11 feet; Course 7, thence North 26°52'32" West, 5.00 feet; Course 8, thence South 63°07'28" West, 382.73 feet; Course 9, thence North 26°52'32" West, 31.65 feet; Course 10, thence South 63°07'28" West, 74.60 feet; Course 11, thence South 26°52'32" East, 36.65 feet; Course 12, thence South 63°07'28" West, 102.14 feet to the point of curvature of a curve concave Northerly having a radius of 955.00 feet; Course 13, thence Westerly along the arc of said curve, through a central angle of 22°47'15", an arc length of 379.82 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 74°31'05" West, 377.32 feet; Course 14, thence South 85°54'43" West, 731.91 feet; Course 15, thence North 04°05'17" West, 5.00 feet to a point on a non-tangent curve concave Northerly having a radius of 250.00 feet; Course 16, thence Westerly along the arc of said curve, through a central angle of 05°44'03", an arc length

of 25.02 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 88°46'45" West, 25.01 feet; Course 17, thence North 88°21'14" West, 61.78 feet; Course 18, thence North 19°49'14" West, 8.30 feet; Course 19, thence North 55°44'57" West, 30.16 feet; Course 20, thence South 67°18'10" West, 29.23 feet; Course 21, thence South 07°09'24" West, 17.00 feet; Course 22, thence North 88°21'14" West, 362.37 feet; Course 23, thence South 01°38'46" West, 5.00 feet; Course 24, thence North 88°21'14" West, 800.00 feet; Course 25, thence North 01°38'46" East, 10.00 feet; Course 26, thence North 88°21'14" West, 355.52 feet to a point lying on the Easterly right of way line of County Road 15A (South Oakridge Avenue), a 100 foot right of way as presently established; thence North 02°07'57" East, along said Easterly right of way line, 5150.65 feet to the Southwest corner of those lands described and recorded in Official Records Book 3863, page 203, of said Public Records; thence Easterly along the Southerly and Southeasterly lines of last said lands the following 9 courses: Course 1, thence South 88°31'42" East, departing said Easterly right of way line, 282.59 feet; Course 2, thence North 21°17'17" East, 161.55 feet; Course 3, thence South 68°42'43" East, 287.10 feet; Course 4, thence South 58°52'43" East, 32.90 feet; Course 5, thence South 37°48'54" East, 22.40 feet; Course 6, thence North 70°53'31" East, 15.20 feet; Course 7, thence North 34°14'49" East, 52.23 feet; Course 8, thence South 88°17'22" East, 94.17 feet; Course 9, thence North 31°43'31" East, 427.82 feet to the Easterly most corner thereof; thence South 58°16'29" East, departing said Southeasterly line, 30.00 feet to a point on a non-tangent curve concave Southeasterly having a radius of 175.00 feet; thence Northeasterly along the arc of said curve, through a central angle of 16°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 North 40°10'24" East, 51.42 feet; thence North 41°22'44" West, along a non-tangent line, 29.96 feet to a point on a non-tangent curve concave Southerly having a radius of 198.38 feet; thence Easterly along the arc of said curve, through a central angle of 47°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 North 73°41'49" East, 160.63 feet; thence South 05°22'04" West, along a non-tangent line, 24.76 feet to a point on a non-tangent curve concave Southwesterly having a radius of 175.00 feet; thence Southeasterly along the arc of said curve, through a central angle of 67°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 South 51°03'13" East, 193.58 feet; thence South 77°07'44" East, along a non-tangent line, 945.04 feet; thence North 49°36'09" East, 172.16 feet; thence North 27°02'28" East, 20.00 feet; thence North 60°40'11" West, 35.15 feet; thence North 31°37'11" East, 86.00 feet to a point on a non-tangent curve concave Northwesterly having a radius of 120.00 feet; thence Northeasterly along the arc of said curve, through a central angle of 87°21'29", an arc length of 182.96 feet to a point of compound curvature, said arc being subtended by a chord bearing and distance of North 63°04'27" East, 165.75 feet; thence Northerly along the arc of a curve concave Westerly having a radius of 950.00 feet, through a central angle of 06°31'27", an arc length of 108.17 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 16°08'00" East, 108.12 feet; thence North 12°52'16" East, 174.12 feet to the point of curvature of a curve concave Easterly having a radius of 1250.00 feet; thence Northerly along the arc of said curve, through a central angle of 17°35'55", an arc length of 383.94 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 21°40'14" East, 382.43 feet; thence

Northeasterly along the arc of a non-tangent curve concave Southeasterly having a radius of 1441.24 feet, through a central angle of $05^{\circ}53'59''$, an arc length of 148.41 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $26^{\circ}05'53''$ East, 148.34 feet; thence North $29^{\circ}02'53''$ East, 373.29 feet to the point of curvature of a curve concave Southeasterly having a radius of 517.02 feet; thence Northeasterly along the arc of said curve, through a central angle of $39^{\circ}09'19''$, an arc length of 353.33 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $48^{\circ}37'32''$ East, 346.49 feet; thence North $68^{\circ}05'11''$ East, along a non-tangent line, 70.00 feet to the Point of Beginning.

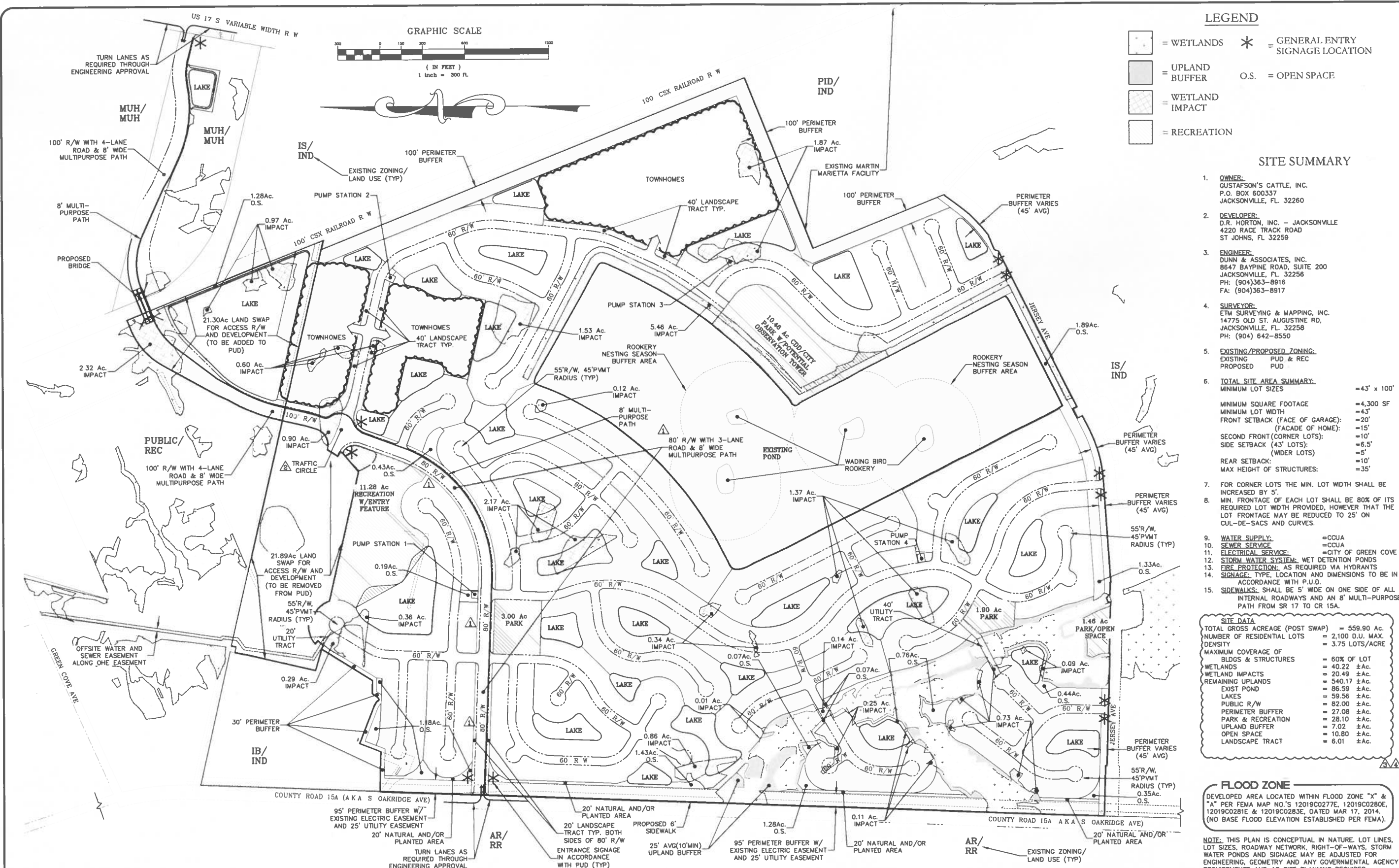
Containing 559.90 acres, more or less.

Exhibit "B"

Conceptual Development Plan

THE ROOKERY

CEASED FOR CONSTRUCTION



LEGEND

- = WETLANDS
- = UPLAND BUFFER
- = WETLAND IMPACT
- = RECREATION
- * = GENERAL ENTRY SIGNAGE LOCATION
- O.S. = OPEN SPACE

SITE SUMMARY

1. **OWNER:**
GUSTAFSON'S CATTLE, INC.
P.O. BOX 600337
JACKSONVILLE, FL 32260
2. **DEVELOPER:**
D.R. HORTON, INC. - JACKSONVILLE
4220 RACE TRACK ROAD
ST JOHNS, FL 32259
3. **ENGINEER:**
DUNN & ASSOCIATES, INC.
8647 BAYPINE ROAD, SUITE 200
JACKSONVILLE, FL 32256
PH: (904)363-8916
FA: (904)363-8917
4. **SURVEYOR:**
ETM SURVEYING & MAPPING, INC.
14775 OLD ST. AUGUSTINE RD,
JACKSONVILLE, FL 32258
PH: (904) 642-8550
5. **EXISTING/PROPOSED ZONING:**
EXISTING PUD & REC
PROPOSED PUD
6. **TOTAL SITE AREA SUMMARY:**

MINIMUM LOT SIZES	= 43' x 100'
MINIMUM SQUARE FOOTAGE	= 4,300 SF
MINIMUM LOT WIDTH	= 43'
FRONT SETBACK (FACE OF GARAGE):	= 20'
(FAÇADE OF HOME):	= 15'
SECOND FRONT (CORNER LOTS):	= 10'
SIDE SETBACK (43' LOTS):	= 6.5'
(WIDER LOTS)	= 5'
REAR SETBACK:	= 10'
MAX HEIGHT OF STRUCTURES:	= 35'
7. FOR CORNER LOTS THE MIN. LOT WIDTH SHALL BE INCREASED BY 5'.
8. MIN. FRONTAGE OF EACH LOT SHALL BE 80% OF ITS REQUIRED LOT WIDTH PROVIDED, HOWEVER THAT THE LOT FRONTAGE MAY BE REDUCED TO 25' ON CUL-DE-SACS AND CURVES.
9. **WATER SUPPLY:** = CCUA
10. **SEWER SERVICE:** = CCUA
11. **ELECTRICAL SERVICE:** = CITY OF GREEN COVE
12. **STORM WATER SYSTEM:** WET DETENTION PONDS
13. **FIRE PROTECTION:** AS REQUIRED VIA HYDRANTS
14. **SIGNAGE:** TYPE, LOCATION AND DIMENSIONS TO BE IN ACCORDANCE WITH P.U.D.
15. **SIDEWALKS:** SHALL BE 5' WIDE ON ONE SIDE OF ALL INTERNAL ROADWAYS AND AN 8' MULTI-PURPOSE PATH FROM SR 17 TO CR 15A.

SITE DATA

TOTAL GROSS ACREAGE (POST SWAP)	= 559.90 Ac.
NUMBER OF RESIDENTIAL LOTS	= 2,100 D.U. MAX.
DENSITY	= 3.75 LOTS/ACRE
MAXIMUM COVERAGE OF BLDGS & STRUCTURES	= 60% OF LOT
WETLANDS	= 40.22 ± Ac.
WETLAND IMPACTS	= 20.49 ± Ac.
REMAINING UPLANDS	= 540.17 ± Ac.
EXIST POND	= 86.59 ± Ac.
LAKES	= 59.56 ± Ac.
PUBLIC R/W	= 82.00 ± Ac.
PERIMETER BUFFER	= 27.08 ± Ac.
PARK & RECREATION	= 28.10 ± Ac.
UPLAND BUFFER	= 7.02 ± Ac.
OPEN SPACE	= 10.80 ± Ac.
LANDSCAPE TRACT	= 6.01 ± Ac.

FLOOD ZONE
DEVELOPED AREA LOCATED WITHIN FLOOD ZONE "X" & "A" PER FEMA MAP NO.'S 12019C0277E, 12019C0280E, 12019C0281E & 12019C0283E, DATED MAR 17, 2014. (NO BASE FLOOD ELEVATION ESTABLISHED PER FEMA).

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE. LOT LINES, LOT SIZES, ROADWAY NETWORK, RIGHT-OF-WAYS, STORM WATER PONDS AND SIGNAGE MAY BE ADJUSTED FOR ENGINEERING, GEOMETRY AND ANY GOVERNMENTAL AGENCY REQUIREMENTS AND AS SITE PLANNING REQUIRES.

EXHIBIT "C"

Collector Road Typical Section

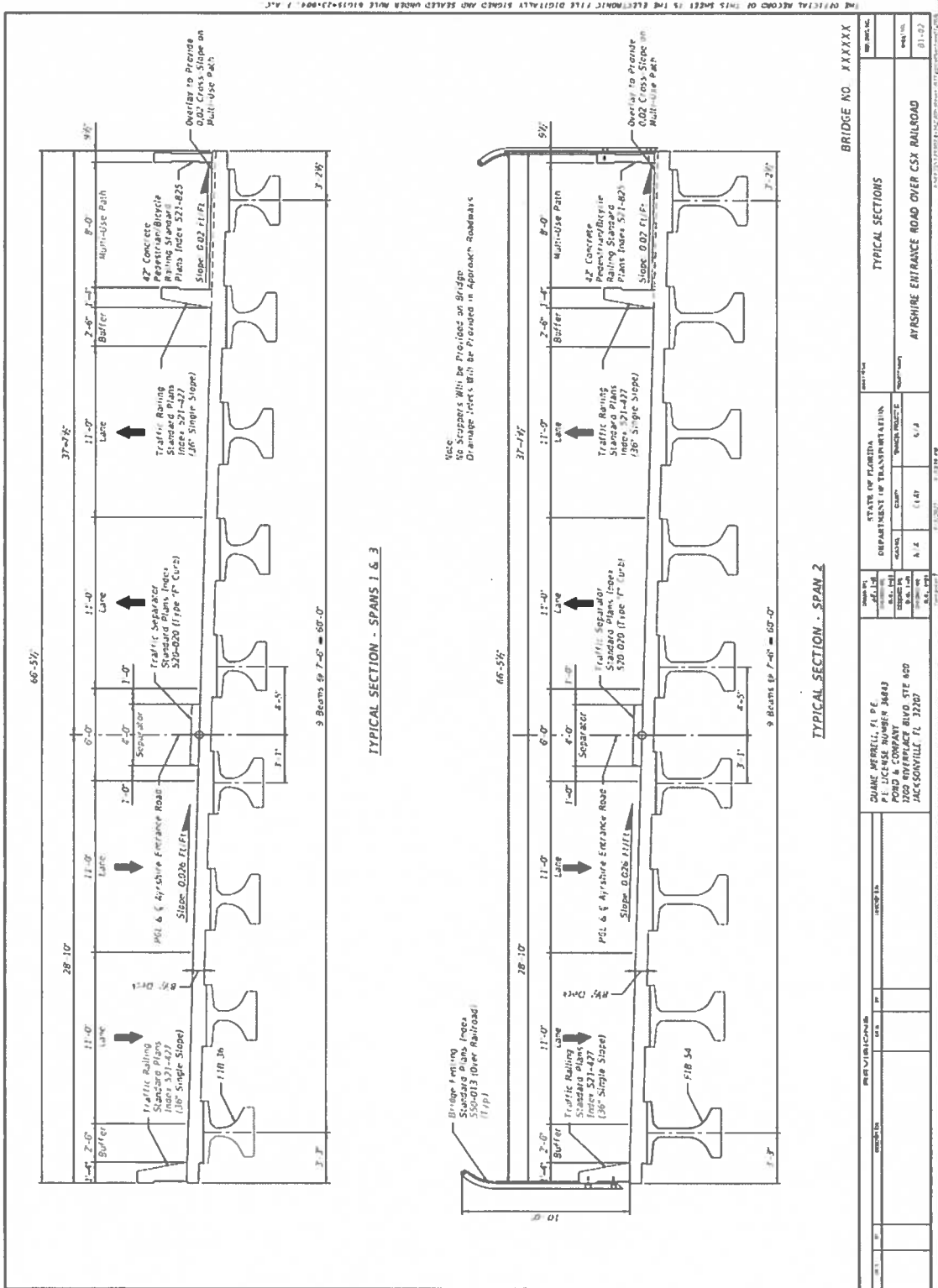
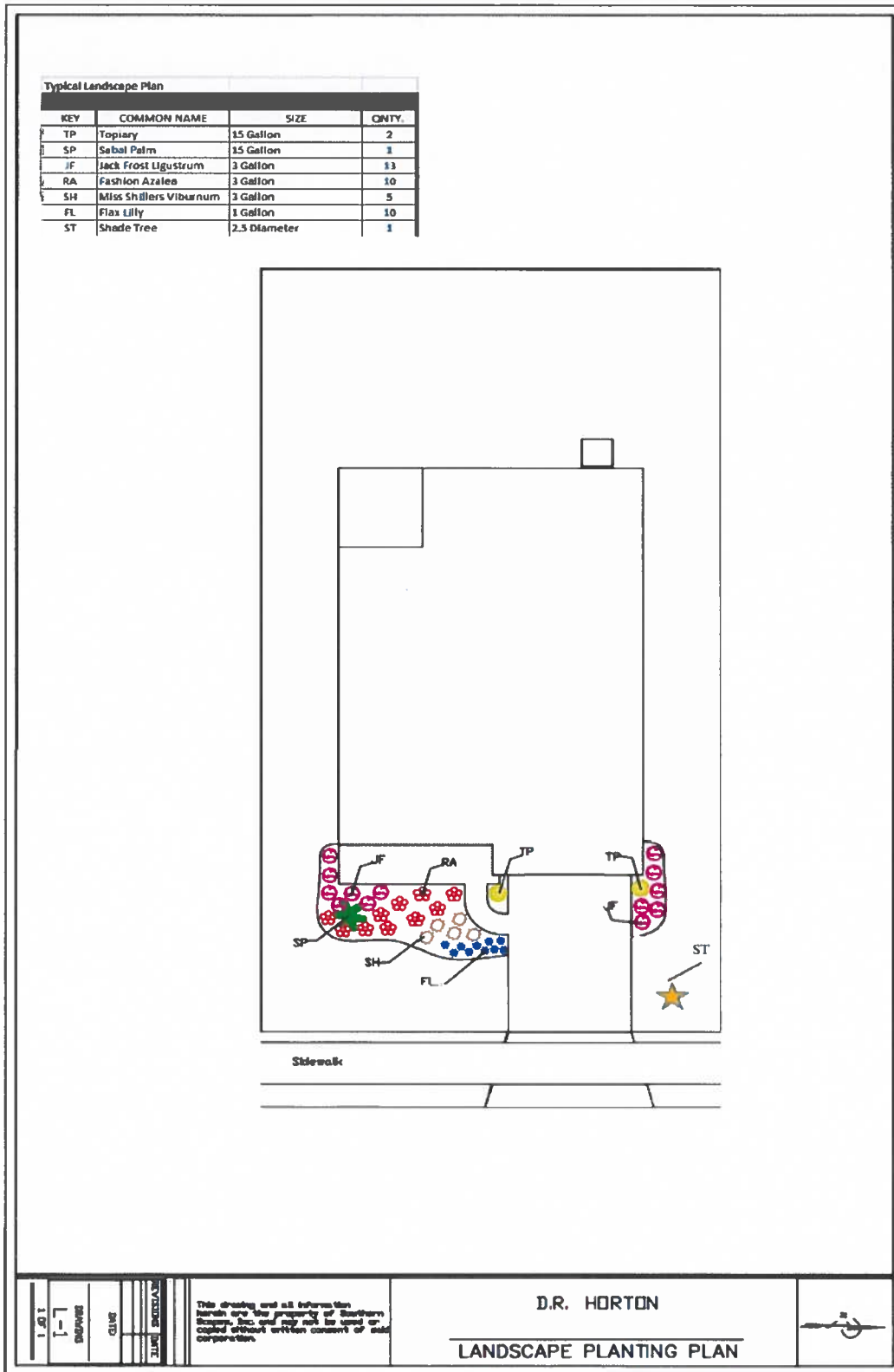


EXHIBIT "D"

Typical Landscape Plan





STAFF REPORT

CITY OF GREEN COVE SPRINGS, FLORIDA

TO: Planning and Zoning Board **MEETING DATE:** July 23, 2024
FROM: Gabriel Barro, Planning and Zoning
SUBJECT: Review of Ordinance O-16-2024 - Request for rezoning for property located West of US17 and East of Rookery Development for parcel 016579-000-00.
 Zoning Amendment From: MUH, Mixed Use Highway
 To: C-2, General Commercial

PROPERTY DESCRIPTION

APPLICANT: Ellen Avery Smith, Rogers Towers, PA **OWNER:** DR Horton Inc-Jacksonville
PROPERTY LOCATION: West of US17 and East of Rookery Development
PARCEL NUMBER: Parcel # 016579-000-00
FILE NUMBER: ZON-24-004
CURRENT ZONING: MUH, Mixed Use Highway
FUTURE LAND USE DESIGNATION: Industrial

SURROUNDING LAND USE

<p>NORTH: FLU: Industrial Z: Mixed-Use Highway Use: Undeveloped</p>	<p>SOUTH: FLU: Industrial Z: IB Heavy Industrial / Industrial Select (County) Use: Single Family / Light Manufacturing</p>
<p>EAST: FLU: Industrial Z: IB Heavy Industrial (County) Use: Light manufacturing / Vacant</p>	<p>WEST: FLU: Neighborhood / Public Z: PUD / Recreational Use: Vacant</p>

BACKGROUND

The property was annexed into the City in 2008 as part of the Energy Cove Industrial Park and given a Future Land Use Designation of Mixed Use Highway. The zoning for the property, in conformance with the Mixed Use Highway Land Use Designation, includes 16.92 acres as M-2 Industrial and 7.25 acres as C-2 General Commercial. As part of the Comprehensive Plan update in 2022, the Future Land Use designation was changed to Industrial.

The property owner, DR Horton, Inc-Jacksonville, along with partner ADJ Rookery LLC are in the process of developing the 561-acre property to the west of the subject property into a 2,100 unit residential development named the Rookery. As part of the Rookery development, a spine road, Pearce Boulevard is being constructed from the Rookery development to the west over the Railroad tracks onto the subject property to connect to US 17. A signalized intersection, directly across from Hall Park Road is planned at US 17 with the new roadway to the west and Hall Park Road to the east.

The applicant, Rogers Tower PA, has requested a re-zoning for the property located on the Western edge of US17, located to the East of the current Rookery Development site, for parcel 016579-000-00, from MUH, Mixed Use Highway to C-2, General Commercial.

Excerpts of the Rookery development plan and the Pearce Boulevard connection to US 17 through the subject property are provided in the packet.

PROPERTY DESCRIPTION:

The property covers approximately 24.22 acres and is located between US17 and the Rookery Development, south of Energy Cove Ln. Currently, the property is vacant and is mostly open fields with scattered hardwood and pine trees.

Figure 1. Aerial Map



Figure 2. Current Zoning

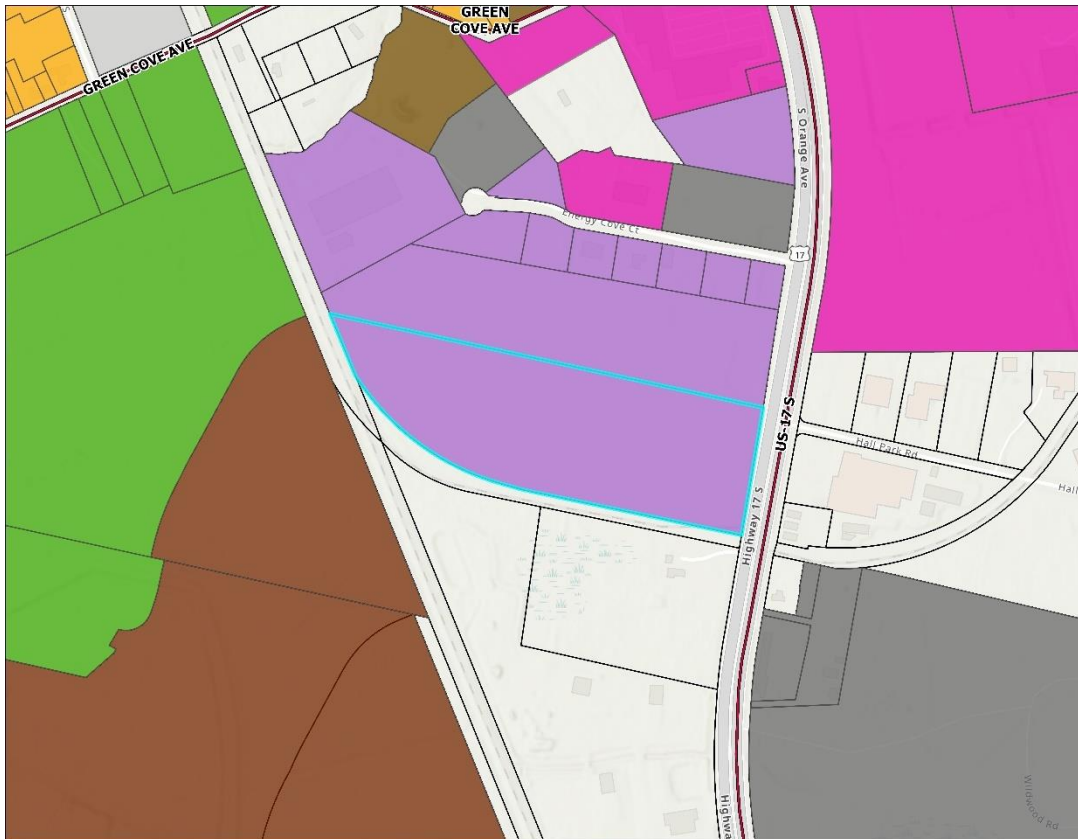
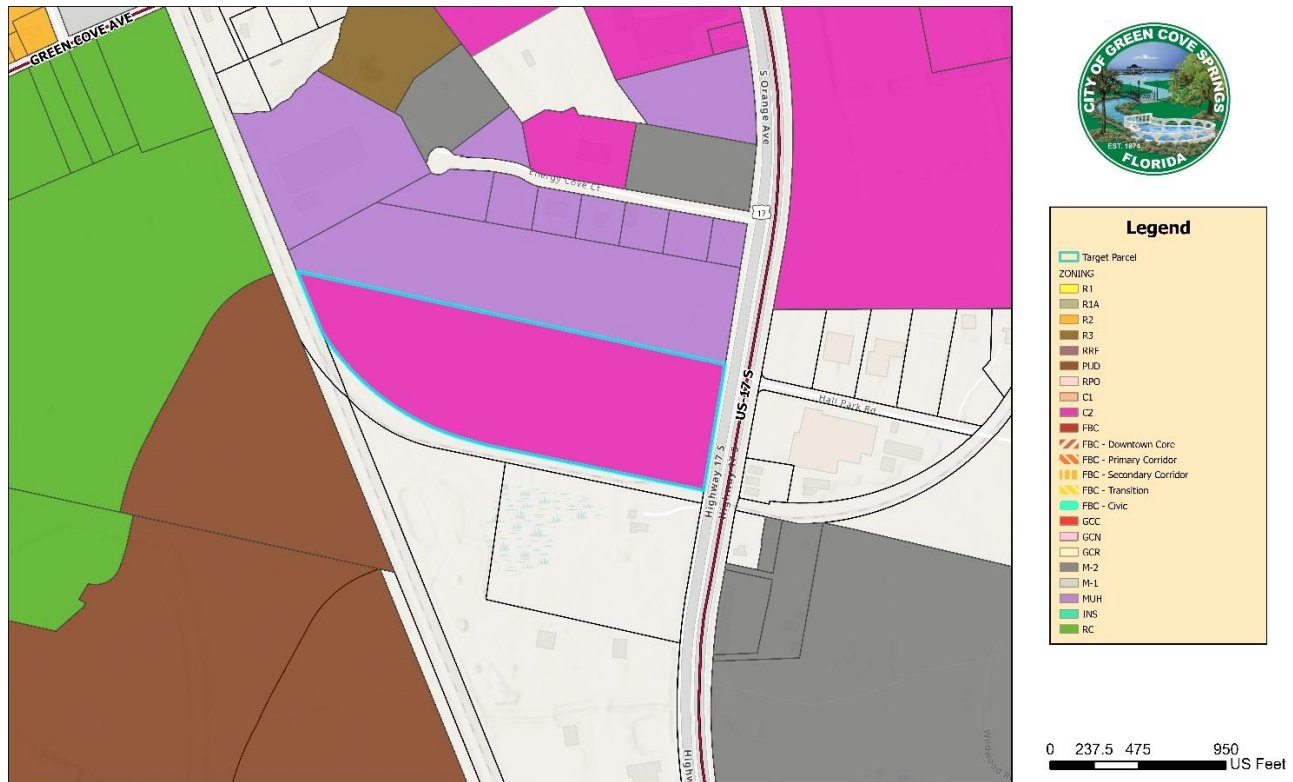


Figure 3. Proposed Zoning



The site is located within the City’s Water, Sewer Service, and Electric Boundaries. It will be served by the City’s utilities and sanitation services.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

Goal 1: To develop and maintain land use programs and activities to provide for the most appropriate use of the land and direct growth to suitable areas while protecting the public, health, safety and welfare.

Policy 1.1.1 e: Industrial (IND): This FLUC is intended to accommodate primarily light and heavy manufacturing, distribution, and storage, in addition to heavy commercial and professional office uses.

iii. Density: NA iv. Maximum Intensity: 0.6 FAR.

Policy 1.2.6 The City shall require new development to connect to the City’s centralized potable water and sanitary sewer system.

TRANSPORTATION ELEMENT

Objective 2.8 Site Development Traffic Circulation: All future development shall be required to provide an adequate internal circulation system that is integrated into the surrounding network and minimizes impacts on the existing system.

Policy 2.5.6 The LDC shall require developments that locate on a principal or minor arterial to:

- d. Provide adequate and safe entrance intersection(s) including turn lanes, acceleration/deceleration lanes, signalization, signage, and pavement marking as appropriate, and
- e. Prevent the creation of hazardous traffic conditions, such as excessive curb cuts which may interfere with the function of the roadway.

CONSERVATION ELEMENT

Goal 1: The city shall conserve, utilize, and protect its natural resources to ensure that adequate resources are available for future generations.

Objective 5.2 Manage Development Impacts: Land development code shall protect ecological systems which are sensitive to development impacts and provide important natural functions for maintenance of environmental quality. Soil conditions, native vegetative communities (including forests), natural drainage areas, and wetlands shall be evaluated to ensure development impacts are minimized.

Policy 5.2.1 The city shall ensure the preservation of native and significant vegetative communities through the implementation of its Landscape and Tree Protection Ordinance

PUBLIC FACILITIES IMPACT

Traffic Impacts

Land Use ¹ (ITE)	Square Footage/Dwelling Units	Daily		AM Peak		PM Peak	
		Rate	Trips	Rate	Trips	Rate	Trips
Shopping Center**	633,000	42.70	27,030	.96	1,061	3.71	4,100

1. Source: Institute of Transportation Engineers: Trip Generation Manual 9th Edition

Conclusion: There are no development plans at this time as a result, the traffic impacts were calculated two: the maximum floor area ratio (.6)* based on the assumption of a Shopping Center at a maximum FAR of .6 per the comprehensive plan requirements. Actual development plans will have a lower impact due to the proposed Pearce Boulevard roadway improvement which will take up significant portions of the acreage thereby leaving a much smaller buildable area, as well as meeting the site plan requirements. Project uses will be required to pay the applicable mobility fees prior to final construction approval to mitigate for transportation impacts.

Potable Water Impacts
Industrial

System Category	Gallons Per Day (GPD)
Current Permitted Capacity ¹	4,200,000
Less actual Potable Water Flows ¹	1,013,000
Residual Capacity ¹	3,187,000
Projected Potable Water Demand from Proposed Project ²	69,653
Residual Capacity after Proposed Project	3,115,126

1. Source: City of Green Cove Springs Public Works Department
2. Source: City of Green Cove Springs Comprehensive Plan. Formula Used: .11 x sq ft (based on historical data)

Conclusion: The impact was calculated based on potential industrial uses. As shown in the table above, there is adequate capacity this use type. The City has existing water lines installed at this location.

Sanitary Sewer Impacts – South Plant WWTP

Commercial

System Category	Gallons Per Day (GPD)
Current Permitted Capacity ¹	350,000
Current Loading ¹	270,000
Committed Loading ¹	330,000
Projected Sewer Demand from Proposed Project ²	69,653
Residual Capacity after Proposed Project	-321,874

1. Source: City of Green Cove Springs Public Works Department
2. Source: City of Green Cove Springs Comprehensive Plan. Formula Used: .11 x sq ft (based on historical data)

Conclusion: The impact was calculated based on potential commercial or residential uses. The project site is served by the South Plant Wastewater Treatment Plant (WWTP). As shown in the table above, when factoring in the current loading and the committed loading, this WWTP is over capacity to handle the estimated impacts resulting from the proposed application. The committed loading is related to the Rookery Development which will be completed in two years prior to the commencement of this project. At such time, the Rookery capacity will be served by a new wastewater treatment facility provided by the Clay County Utility Authority. Once the facility is built, the capacity temporarily reserved to the Rookery shall be available for this development. In addition, the remaining demand will be sent via force main to the Harbor Road plant, where the City has an excess capacity of approximately 700,000 gallons per day. As a result, there is adequate capacity. The City has existing sewer lines at this location.

Solid Waste Impacts

Commercial

System Category	LBs Per Day / Tons per Year
Solid Waste Generated by Proposed Project ¹	None
Solid Waste Facility Capacity ²	Minimum 3 Years Capacity

1. Source: City of Green Cove Springs does not provide commercial sanitation services, prospective sanitation collection franchisees shall comply with City Code Section 66-10.

Solid Waste Impacts

The City of Green Cove Springs’ solid waste is disposed of at the Rosemary Hill Solid Waste Management Facility operated by Clay County. Per the Clay County Comprehensive Plan, a minimum of three (3) years capacity shall be maintained at the County’s solid waste management facility. For commercial developments, the City does not provide Curbside Service; commercial locations must instead contract with an approved franchisee for containerized collection.

EXISTING ZONING

Mixed Use Highway (MUH) - 70% industrial and 30% commercial land uses. The industrial land uses primarily consist of storage, warehousing, and light manufacturing facilities. The commercial land uses primarily consist of retail and service establishments, such as business and professional offices, hotels, automobile sales, service and repair, and restaurants. No residential land uses are permitted. The maximum Floor Area Ratios for the industrial land uses shall be .70 and the commercial land uses shall have a maximum Floor Area Ratio of .30

PROPOSED ZONING

The commercial high intensity (CHI), C-2 general commercial zoning category district is intended for intensive commercial uses which generally require a conspicuous and accessible location convenient to streets carrying large volumes of traffic.

STAFF COMMENTS

This zoning category is intended for intensive commercial uses which generally require a conspicuous and accessible location convenient to streets carrying large volumes of traffic.

C-2 uses include commercial uses and drive through facilities typically associated with high intensity uses adjacent to arterial roadways.

C-2 Zoning is compatible with the Industrial Future Land Use Designation as set forth in City LDC, Sec. 117-2(c).

This property will have a signalized intersection upon completion of Pearce Boulevard at the US 17 Intersection as required as part of the . This will create safe vehicular turning movements and is conducive for high volume commercial development.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning request to C-2, General Commercial.

RECOMMENDED MOTION:

Motion to recommend to City Council the approval of Ordinance O-16-2024, to amend the Zoning of Parcel ID 016579-000-00 from MUH, Mixed Use Highway to C-2, General Commercial.

April 29, 2024



VIA OVERNIGHT MAIL

Michael Daniels, AICP
Planning and Zoning Director
City of Green Cove Springs
321 Walnut Street
Green Cove Springs, Florida 32043

**Re: Ayrshire/Applications for Planned Unit Development Modification,
Commercial Rezoning**

Dear Mr. Daniels:

The purpose of this letter is to transmit two rezoning applications for properties owned by clients of our firm located in the City of Green Cove Springs. The first application is for a modification to the existing Ayrshire Planned Unit Development (“PUD”) approved as Ordinance Nos. O-06-2021 and O-09-2022. The second application is to rezone land located adjacent to the Ayrshire PUD for commercial use.

Our clients D.R. Horton, Inc. – Jacksonville, Rookery Investors LLC and ADJ Rookery LLC (collectively the “Owners”) are the owners of the approximately 561 acres located within the Ayrshire PUD. The Owners are requesting to add a new residential product type – duplexes – to the permitted uses within the PUD and provide development standards for such units.

D.R. Horton, Inc. – Jacksonville also owns property located between the Ayrshire PUD and U.S. Highway 17 with Clay County Parcel Identification No. 38-06-26-016579-000-00 (the “Commercial Parcel”). The future land use designation of the Commercial Parcel is Industrial, and the zoning district is Mixed Use Highway (“MUH”). D.R. Horton would like to rezone the Commercial Parcel from MUH to Commercial High Intensity (“C2”).

Enclosed are applications for the PUD Modification and Rezoning described above, along with supporting documents related to the same. If you will please let us know the application fee for each package, we will send you checks for payment.

We look forward to working with you on these applications.

Sincerely yours,

Ellen Avery-Smith

Michael Daniels
April 29, 2024
Page 2

Item # 3.

cc: City Attorney Jim Arnold, Esq.
John Gislason
Anthony Sharp



FOR OFFICE USE ONLY

Item # 3.

P Z File # _____

Application Fee: _____

Filing Date: _____ Acceptance Date: _____

Review Date: SRDT _____ P & Z _____ CC _____

Rezoning Application

A. PROJECT

1. Project Name: Rookery Commercial
2. Address of Subject Property: U.S. Highway 17
3. Parcel ID Number(s): 38-06-26-016579-000-00
4. Existing Use of Property: Industrial / Vacant
5. Future Land Use Map Designation : Industrial
6. Existing Zoning Designation: Mixed Use Highway (MUH)
7. Proposed Zoning Designation: Commercial High Intensity (C2)
8. Acreage: 10

B. APPLICANT

1. Applicant's Status Owner (title holder) Agent
2. Name of Applicant(s) or Contact Person(s): Ellen Avery-Smith, Esq. Title: _____
 Company (if applicable): Rogers Towers, P.A.
 Mailing address: 100 Whetstone Place, Suite 200
St. Augustine Florida 32080
 City: _____ State: _____ ZIP: _____
 Telephone: (904) 824-0879 FAX: (904) 825-4070 e-mail: Eaverysmith@rtlaw.com

3. If the applicant is agent for the property owner*
 Name of Owner (titleholder): D.R. Horton, Inc. - Jacksonville
4220 Race Track Road
 Mailing address: _____
St. Johns Florida 32259
 City: _____ State: _____ ZIP: _____
 Telephone: 904 824-0879 FAX: 9(04) 825-4070 e-mail: jrgislason@drhorton.com

* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

C. ADDITIONAL INFORMATION

1. Is there any additional contact for sale of, or options to purchase, the subject property?
 Yes No If yes, list names of all parties involved: See above-listed owners and agent information.

 If yes, is the contract/option contingent or absolute?
 Contingent Absolute

D. ATTACHMENTS

1. Statement of proposed change, including a map showing the proposed zoning change and zoning designations on surrounding properties
2. A current aerial map (Maybe obtained from the Clay County Property Appraiser.)
3. Plat of the property (Maybe obtained from the Clay County Property Appraiser.)
4. Legal description with tax parcel number.
5. Boundary survey
6. Warranty Deed or the other proof of ownership
7. Site Plan
8. Written Description
9. Binding Letter
10. Fee.

a. \$2,000 plus \$20 per acre

b. All applications are subject 10% administrative fee and must pay the cost of postage, signs, advertisements and the fee for any outside consultants.

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees necessary for technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any action of any kind on the development application.

All 10 attachments are required for a complete application. A completeness review of the application will be conducted within five (5) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

Signature of Applicant

Ellen Avery-Smith

Signature of Co-applicant

Ellen Avery-Smith, Esq. of Rogers Towers, P.A.

Typed or printed name and title of applicant

Typed or printed name of co-applicant

Date

4/24/24

Date

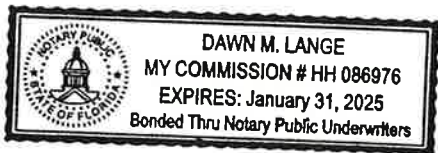
State of Florida

County of St. Johns.

The foregoing application is acknowledged before me this 24 day of April, 2024 by _____

_____, who is/are personally known to me, or who has/have produced _____ as identification.

NOTARY SEAL



Signature of Notary Public, State of Florida
Dawn M. Lange

ORDINANCE NO. O-16-2024

AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA REZONING ±24.22 ACRES OF REAL PROPERTY GENERALLY LOCATED ON US HIGHWAY 17 S, IDENTIFIED AS OF A PORTION TAX ID NUMBER 016579-000-00, MORE PARTICULARLY DESCRIBED BY EXHIBIT “A”, FROM MUH, MIXED USE HIGHWAY TO C-2, COMMERCIAL HIGH INTENSITY; PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the City has received a request to rezone the subject parcel from Mixed Use Highway (MUH) to Commercial High Intensity (C-2); 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 June 25, 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 July 16, 2024 and August 6, 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. Zoning Map Amended. The Zoning Map is hereby amended for the following property from Mixed Use Highway to Commercial High Intensity (C-2). A portion of Tax Parcel Number 38-06-26-016579-000-00 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. 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 AUGUST 2024.

CITY OF GREEN COVE SPRINGS, FLORIDA

Steven R. Kelley, 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 SEPTEMBER 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

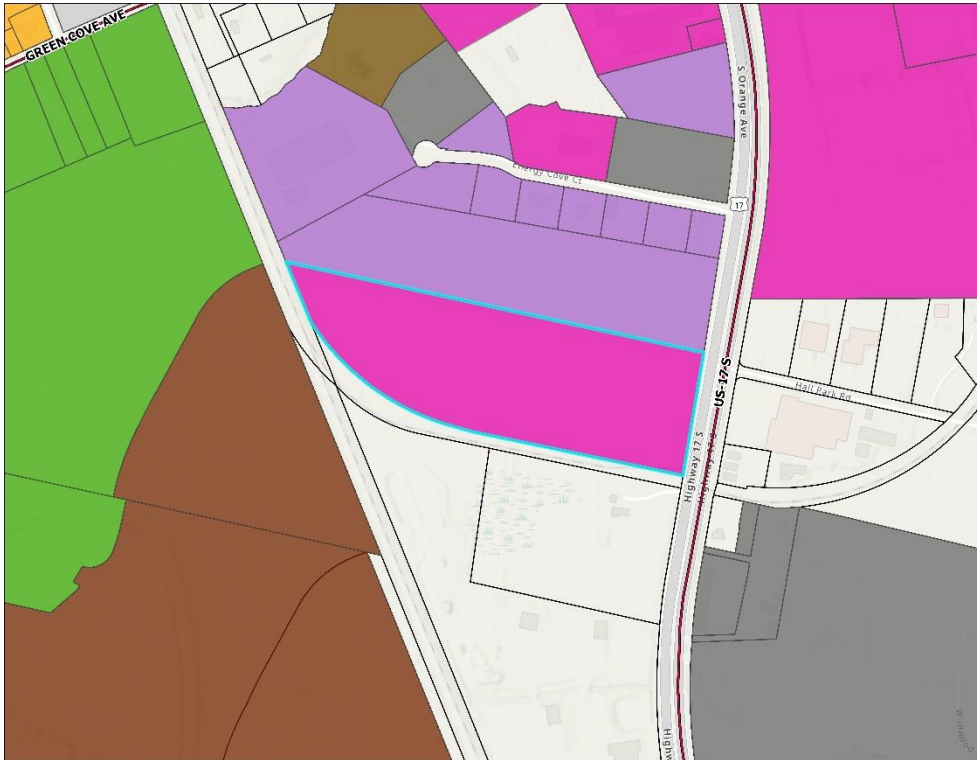
EXHIBIT “A”

Tax Parcel Number 38-06-26-016579-000-00

LEGAL DESCRIPTION

A parcel of land consisting of a portion of Lot 3, Block 37, Bayard Tract, Clay County, Florida, according to map by Charles F. Smith, recorded in the public records of said county in Deed Book "J", pages 273 and 274, together with a portion of Lots 17,18,19 and 20, Block 1, South Green Cove Springs, according to map recorded in Deed Book "Z", page 748 of said public records, all in the G.I.F. Clark Grant, Section 38, Township 6 South, Range 26 East, Clay County, Florida, said parcel being more particularly described as follows: Commence at the southwest corner of Lot 1, Block 1, said Bayard Tract; thence on the west line thereof, North 24 degrees 21 minutes 05 seconds West, 47.00 feet; thence South 61 degrees 51 minutes 10 seconds West, 136.06 feet to the northeasterly line of the CSX Transportation Railroad; thence on said northeasterly line, South 23 degrees 22 minutes 55 seconds East, 142.94 feet to the point of beginning; thence South 77 degrees 29 minutes 59 seconds East, 2,046.21 feet to the westerly line of State Road No. 15 (U.S. Highway No. 17); thence on said westerly line, South 09 degrees 09 minutes 52 seconds West, 576.61 feet to the northerly line of Spring Street (also being the northerly line of a railroad spur as per Judgment Lien Book No. 1, page 30 of said public records; thence on said northerly line, North 78 degrees 47 minutes 45 seconds West, 1050.24 feet; thence northwesterly along the arc of a curve concave northeasterly and having a radius of 1175.0 feet, an arc distance of 893.71 feet to the northeasterly line of said CSX Transportation Railroad, said arc being subtended by a chord bearing and distance of North 57 degrees 00 minutes 32 seconds West, 872.21 feet; thence on said northeasterly line, North 23 degrees 22 minutes 55 seconds West, 362.84 feet to the point of beginning.

EXHIBIT "B"

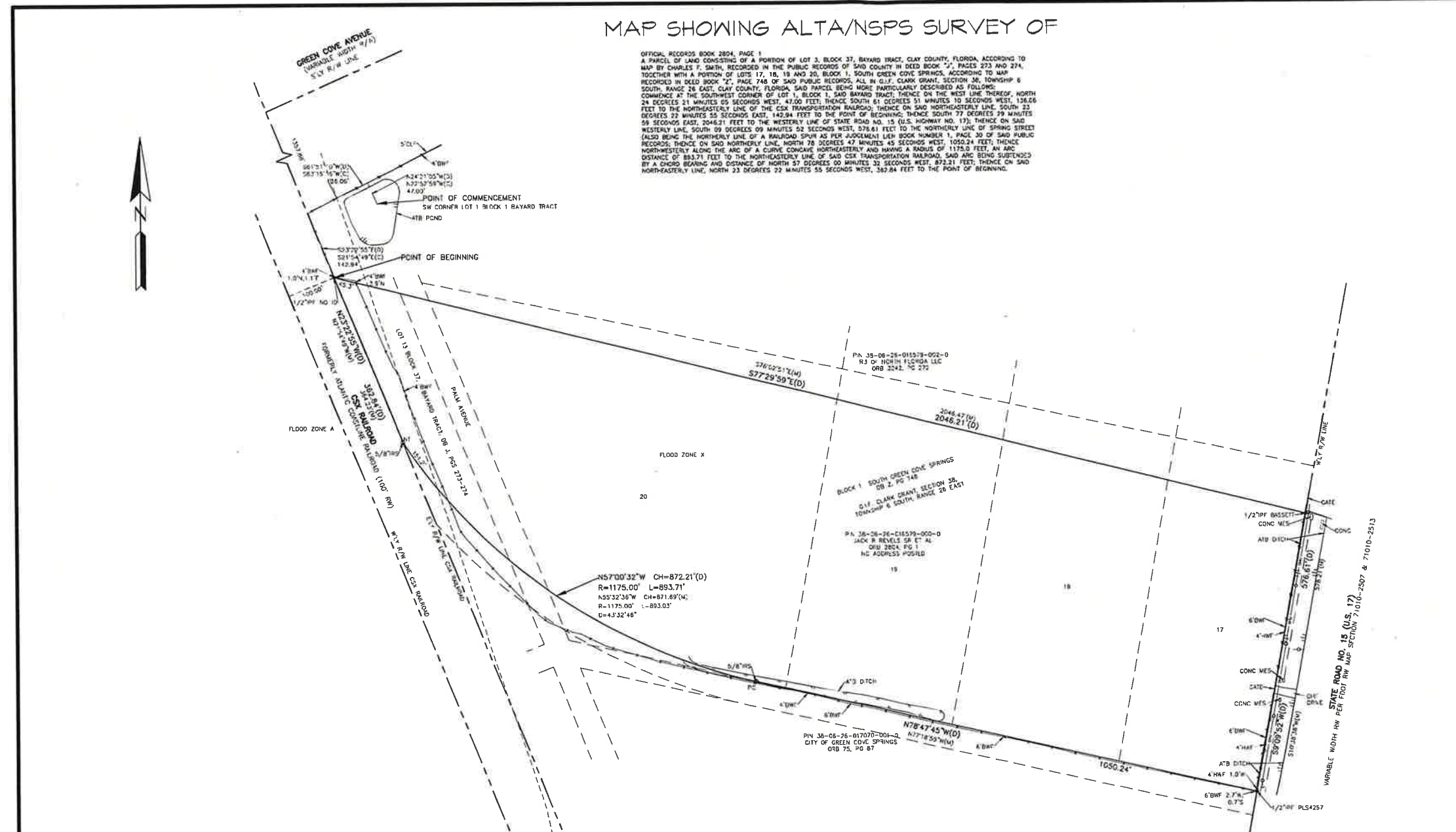


Legend	
	Target Parcel
ZONING	
	R1
	R1A
	R2
	R3
	RRF
	PUD
	RPO
	C1
	C2
	FBC
	FBC - Downtown Core
	FBC - Primary Corridor
	FBC - Secondary Corridor
	FBC - Transition
	FBC - Civic
	GCC
	GCN
	GCR
	M-2
	M-1
	MUH
	INS
	RC



MAP SHOWING ALTA/NSPS SURVEY OF

OFFICIAL RECORDS BOOK 2804, PAGE 1
 A PARCEL OF LAND CONSISTING OF A PORTION OF LOT 3, BLOCK 37, BAYARD TRACT, CLAY COUNTY, FLORIDA, ACCORDING TO MAP BY CHARLES F. SMITH, RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY IN DEED BOOK "A", PAGES 273 AND 274, TOGETHER WITH A PORTION OF LOTS 17, 18, 19 AND 20, BLOCK 1, SOUTH GREEN COVE SPRINGS, ACCORDING TO MAP RECORDED IN DEED BOOK "C", PAGE 748 OF SAID PUBLIC RECORDS, ALL IN G.L.F. CLARK GRANT, SECTION 36, TOWNSHIP 6 SOUTH, RANGE 28 EAST, CLAY COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, SAID BAYARD TRACT; THENCE ON THE WEST LINE THEREOF, NORTH 24 DEGREES 21 MINUTES 09 SECONDS WEST, 41.00 FEET; THENCE SOUTH 61 DEGREES 51 MINUTES 10 SECONDS WEST, 126.65 FEET TO THE NORTHEASTLY LINE OF THE CSX TRANSPORTATION RAILROAD; THENCE ON SAID NORTHEASTLY LINE, SOUTH 23 DEGREES 22 MINUTES 09 SECONDS EAST, 142.84 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 77 DEGREES 29 MINUTES 58 SECONDS EAST, 2048.21 FEET TO THE WESTERN LINE OF STATE ROAD NO. 15 (U.S. HIGHWAY NO. 17); THENCE ON SAID WESTERN LINE, SOUTH 09 DEGREES 09 MINUTES 52 SECONDS WEST, 578.61 FEET TO THE NORTHERLY LINE OF SPRING STREET (ALSO BEING THE NORTHERLY LINE OF A RAILROAD SPUR AS PER JUDGMENT LEM BOOK NUMBER 1, PAGE 20 OF SAID PUBLIC RECORDS; THENCE ON SAID NORTHERLY LINE, NORTH 78 DEGREES 47 MINUTES 45 SECONDS WEST, 1050.24 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1178.3 FEET, AN ARC DISTANCE OF 883.71 FEET TO THE NORTHEASTLY LINE OF SAID CSX TRANSPORTATION RAILROAD, SAID ARC BEING SUSTAINED BY A CHORD BEARING AND DISTANCE OF NORTH 57 DEGREES 00 MINUTES 32 SECONDS WEST, 873.21 FEET; THENCE ON SAID NORTHEASTLY LINE, NORTH 23 DEGREES 22 MINUTES 09 SECONDS WEST, 382.84 FEET TO THE POINT OF BEGINNING.



SURVEYOR'S NOTES:

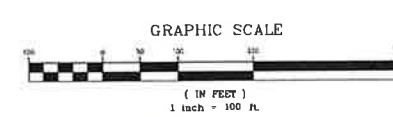
1. THIS IS A BOUNDARY SURVEY.
2. OWNERSHIP OF FENCES, IF ANY, UNDETERMINED; FENCE TIES ARE TO THE FACE OF THE FENCING.
3. THIS IS A SURFACE LOCATION SURVEY ONLY; UNDERGROUND UTILITIES, INCLUDING, BUT NOT LIMITED TO, WATER LINES, SEWER LINES, DRAINAGE LINES, ELECTRIC LINES, CABLE TELEVISION AND TELEPHONE LINES WERE NOT LOCATED BY THIS SURVEY; VISIBLE ABOVEGROUND APPURTENANCES WERE LOCATED AS DELINEATED ON THIS MAP, UNLESS OTHERWISE NOTED.
4. THIS IS A COPYRIGHTED DOCUMENT; NO PORTION OF IT MAY BE REPRODUCED, WHOLLY OR IN PART, WITHOUT THE EXPRESSED WRITTEN PERMISSION OF R.E. HOLLAND & ASSOCIATES, INC.
5. THIS SURVEY MAP DOES NOT REFLECT OR DETERMINE OWNERSHIP.
6. THE RELATIVE LINEAR DISTANCE ACCURACY FOR THIS SURVEY EXCEEDS 1:10,000.
7. ALL MEASUREMENTS ARE IN U.S. STANDARD FEET AND WERE MADE WITH A THEODOLITE AND ELECTRONIC DISTANCE MEASURING DEVICE AND/OR STEEL TAPE.
8. THE FIELD WORK WAS COMPLETED ON 11-13-20.
9. BEARINGS SHOWN HEREON ARE REFERENCED TO THE WESTERY RIGHT OF WAY LINE OF STATE ROAD 15 BY A BEARING OF S10°38'36"W.
10. THE LANDS SHOWN HEREON LIE WITHIN FLOOD ZONES "A" AND "X", AS SHOWN ON FLOOD INSURANCE RATE MAP 1201900281E (PANEL 281E) COMMUNITY NUMBER 120065, DATED MARCH 17, 2014 AND FLOOD LINES SHOWN ARE PER SAID MAPS; FLOOD ZONE ELEVATIONS ARE RELATIVE TO NAVY(1985). SAID FLOOD ZONE IS NOT WARRANTED BY THE UNDERSIGNED UNLESS THIS SURVEY IS ISSUED IN CONJUNCTION WITH A SIGNED AND SEALED FLOOD ZONE ELEVATION CERTIFICATE FROM THIS FIRM. FLOOD INSURANCE RATE MAPS ARE SUBJECT TO CHANGE; 11. UNLESS OTHERWISE NOTED, RECORD AND MEASURED DIMENSIONS AGREE.
12. THIS SURVEY IS CERTIFIED ONLY TO THE NAMED PARTIES HEREON AND MAY NOT BE TRANSFERRED TO ANY THIRD PARTIES OR SUCCESSORS IN TITLE, AND SAID SURVEY IS FURTHER CERTIFIED AS BEING CORRECT AS OF THE LAST DATE OF FIELD SURVEY.
13. THIS PARCEL CONTAINS 1,054,879 SQUARE FEET, OR 24.22 ACRES, MORE OR LESS.
14. THERE IS NO VISIBLE EVIDENCE OF A CEMETERY ON THE SUBJECT PROPERTY.
15. THE SIGNING SURVEYOR HAS RELIED SOLELY AND EXCLUSIVELY ON AMERICAN LAND TITLE ASSOCIATION COMMITMENT FOR TITLE, ISSUED BY CHICAGO TITLE INSURANCE COMPANY, TITLE ORDER NO. 8779836, DATED SEPTEMBER 10, 2020, FOR INFORMATION REGARDING EASEMENTS AND LEGAL DESCRIPTIONS USED IN THE PERFORMANCE OF THIS SURVEY.

SCHEDULE B SECTION 2

7. RESTRICTIONS, COVENANTS, CONDITIONS AND OTHER MATTERS AS SET FORTH IN THAT INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 2712, PAGE 1932. (BLANKETS SUBJECT PROPERTY)
8. EASEMENT SET FORTH IN OFFICIAL RECORDS BOOK 3544, PAGE 1318. (NOT PLOTTABLE)

LEGEND

ATB	APPROXIMATE TOP OF BANK	LB	LICENSED BUSINESS
BWF	BARBED WIRE FENCE	FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
(C)	CALCULATED	(M)	MEASURED
CH	CHORD	MES	METERED END SECTION
CLF	CHAIN LINK FENCE	OUU	OVERHEAD UTILITY
CONC	CONCRETE	ORB	OFFICIAL RECORDS BOOK
(D)	DEED	PC	POINT OF CURVATURE
DB	DEED BOOK	POS(S)	PARCEL IDENTIFICATION NUMBER
Δ	DELTA	PSM	PROFESSIONAL SURVEYOR & MAPPER
—	DOT ANCHOR	R-	RADIUS
—	HOT WIRE FENCE	R/W	RIGHT OF WAY
—	IDENTIFICATION	—	SOI
● IFF	IRON PIPE FOUND	—	WOOD POWER POLE
● IRS	IRON ROD SET		



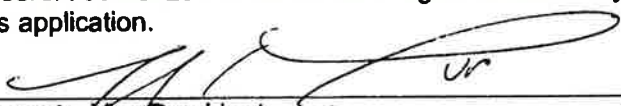


ETM
 Surveying & Mapping, Inc.
 VISION • EXPERIENCE • INTEGRITY
 14775 S.W. 8th Avenue Road, Jacksonville, FL 32256
 Tel: (904) 642-8550 Fax: (904) 642-4165
 Certificate of Authorization No. LR 3024

SURVEYOR'S CERTIFICATE
 TO NEED CERTS
 THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED, WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARDS DETAIL REQUIREMENTS FOR ALTA/NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8a, 8b, 7b(1), 7c, 8, 9, 11, 13, 14, 19 & 20 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 11/13/2020
 DATE: 11/16/2020

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE NEARBY ON ANY ELECTRONIC COPIES.
 SCALE 1"=100'
 DATE NOVEMBER 16, 2020
 BOB L. FITMAN
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA - LS No. 4827
 Pfitman@etmsurvey.com



PROPERTY OWNER AFFIDAVIT

Owner Name: D.R. Horton Inc. - Jacksonville	
Address: 4220 Race Track Road., Saint Johns Fl 32259	Phone:
Agent Name: Ellen Avery-Smith, Esq. of Rogers Towers, P.A.	
Address: 100 Whelstone Place, Suite 200, St. Augustine, FL 32086	Phone: 904-825-1615
Parcel No.: 38-06-26-016579-000-000	
Requested Action: Application for a PUD Modification	
<p>I hereby certify that:</p> <p>I am the property owner of record. I authorize the above listed agent to act on my behalf for the purposes of this application.</p> <p>Property owner signature: <u></u> Philip A. Fremento, Vice President</p> <p>Printed name: <u>D.R. Horton, Inc. - Jacksonville</u></p> <p>Date: <u>4/23/24</u></p> <p>The foregoing affidavit is acknowledged before me this <u>23</u> day of <u>April</u>, 20<u>24</u>, by <u>Philip A. Fremento, Vice President</u> of <u>D.R. Horton, Inc. - Jacksonville</u>, who is/are <u>personally known to me, or who has/have produced</u> _____ as identification.</p>	
<p>NOTARY SEAL</p> 	<p>DEBORAH E. MCCLURE Commission # GG 967814 Expires July 10, 2024 Bonded Thru Budget Notary Services</p> <p><u></u> Signature of Notary Public, State of <u>Florida</u></p>

CFN # 2023056065, OR BK: 4772 PG: 1944, Pages 1 / 4, Recorded 11/13/2023 10:40 AM, Doc: D
TARA S. GREEN Clerk of Court and Comptroller, Clay County, FL Rec: \$35.50 Doc D: \$1,544.20
Deputy Clerk BlankenshipT

Prepared By and Return to:
Pam Bowser
DHI TITLE OF FLORIDA, INC.
12276 San Jose Blvd., Suite 739
Jacksonville FL 32223

FILE 121-230103027

Sales Price: \$220,576.43
Documentary Stamps: \$1,544.20

Space Above This Line For Recording Data

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this 9th day of **November, 2023**, by **Rookery Investors, LLC, a Florida limited liability partnership** whose address is **12443 San Jose Blvd., Suite 504, Jacksonville FL 32223 ("Grantor")**, to **D.R. HORTON, INC. - Jacksonville, a Delaware corporation**, whose address is **4220 Race Track Road, Saint Johns, FL 32259 ("Grantee")**.

WITNESSETH, that said Grantor, for and in consideration of Ten Dollars (\$10.00), and other good and valuable consideration to Grantor in hand paid by said Grantee, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained and sold to the Grantee, the following described land (the "Property"), situate, lying and being in **Clay County, Florida** to wit:

A parcel of land consisting of a portion of Lot 3, Block 37, Bayard Tract, Clay County, Florida, according to map by Charles F. Smith, recorded in the public records of said county in Deed Book "J", pages 273 and 274, together with a portion of Lots 17,18,19 and 20, Block 1, South Green Cove Springs, according to map recorded in Deed Book "Z", page 748 of said public records, all in the G.I.F. Clark Grant, Section 38, Township 6 South, Range 26 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the southwest corner of Lot 1, Block 1, said Bayard Tract; thence on the west line thereof, North 24 degrees 21 minutes 05 seconds West, 47.00 feet; thence South 61 degrees 51 minutes 10 seconds West, 136.06 feet to the northeasterly line of the CSX Transportation Railroad; thence on said northeasterly line, South 23 degrees 22 minutes 55 seconds East, 142.94 feet to the point of beginning; thence South 77 degrees 29 minutes 59 seconds East, 2,046.21 feet to the westerly line of State Road No. 15 (U.S. Highway No. 17); thence on said westerly line, South 09 degrees 09 minutes 52 seconds West, 576.61 feet to the northerly line of Spring Street (also being the northerly line of a railroad spur as per Judgment Lien Book No. 1, page 30 of said public records; thence on said northerly line, North 78 degrees 47 minutes 45 seconds West, 1050.24 feet; thence northwesterly along the arc of a curve concave northeasterly and having a radius of 1175.0 feet, an arc distance of 893.71 feet to the northeasterly line of said CSX Transportation Railroad, said arc being subtended by a chord bearing and distance of North 57 degrees 00 minutes 32 seconds West, 872.21 feet; thence on said northeasterly line, North 23 degrees 22 minutes 55 seconds West, 362.84 feet to the point of beginning.

TO HAVE AND TO HOLD the same in fee simple, forever.

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the same in fee simple, forever.

This conveyance is made **SUBJECT TO** the following, provided, however, any reference thereto shall not serve to reimpose the same:

See Exhibit "A"

AND the Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple and has good right and lawful authority to sell and convey said Property, and hereby specially warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under the Grantor, but against no others.

N WITNESS WHEREOF, Grantor has unto set its hand and seal on the day and year written above.

Signed, sealed and delivered
in the presence of:

**Rookery Investors, LLC, a Florida limited liability
company**

**By: Matovina & Company, a Florida corporation,
Its Manager**

Sharon A. Hudson
Witness

By: Gregory E. Matovina
Gregory E. Matovina, President

Print Name: SHARON A. HUDSON

Pam Bowser
Witness

Pam Bowser
Print Name

STATE OF FLORIDA)

COUNTY OF DUVAL)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, on this 8th day of November, 2023, by **Greg Matovina as President of Rookery Investors, LLC, a Florida limited liability company**, on behalf of the company, who is personally known to me or has produced _____ as identification.



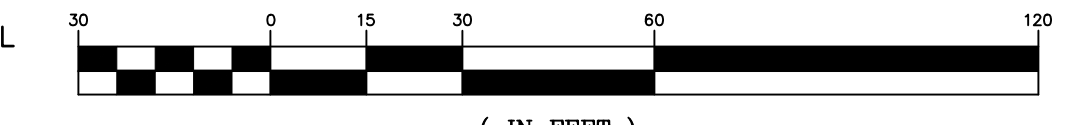
SHARON A. HUDSON
Commission # HH 460421
Expires December 11, 2027

Sharon A. Hudson
Notary Public
Printed Name: SHARON A HUDSON
Commission Number: HH 460421
Commission Expiration: 12/11/2027

EXHIBIT "A"

1. Taxes and assessments for the year 2024 and subsequent years which are not yet due and payable.
2. Any lien provided by Chapter 159, Florida Statutes, in favor of any city, town, village, or port authority for unpaid service charges for service by any water systems, sewer systems or gas systems serving the lands described herein.
3. Restrictions, reservations, covenants, easements, conditions and all other matters as shown on Plat recorded in Deed Book J, Page 273 and 274 of the Public Records of Clay County, Florida.
4. Restrictions, reservations, covenants, easements, conditions and all other matters as shown on Plat recorded in Deed Book Z, Page 748, of the Public Records of Clay County, Florida.
5. Restrictions, reservations, covenants, easements, conditions and all other matters as shown on Plat recorded in Plat Book 1, Page 31-34, of the Public Records of Clay County, Florida.
6. Easement for Access and Utilities as contained in that certain instrument recorded in Official Records Book 4681, Page 1724, of the Public Records of Clay County, Florida.
7. Declaration of Easement Agreement as contained in that certain instrument recorded in Official Records Book 4750, Page 293, of the Public Records of Clay County, Florida.
8. Rights or claims of parties in possession under unrecorded leases not shown by the Public Records

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

LEGEND

- = WETLANDS (FLAGGED)
- = WETLANDS (AERIAL INTERPRETATION)
- = UPLAND BUFFER
- = WETLAND IMPACT
- = COMMON AREA SIDEWALK (SEE NOTE)
- C&G = CURB & GUTTER
- QL = QUEUE LENGTH
- BTSD = BRAKE TO STOP DISTANCE
- CD = CLEARANCE DISTANCE
- TL = TRAVEL LANE
- LTL = LEFT TURN LANE
- RTL = RIGHT TURN LANE

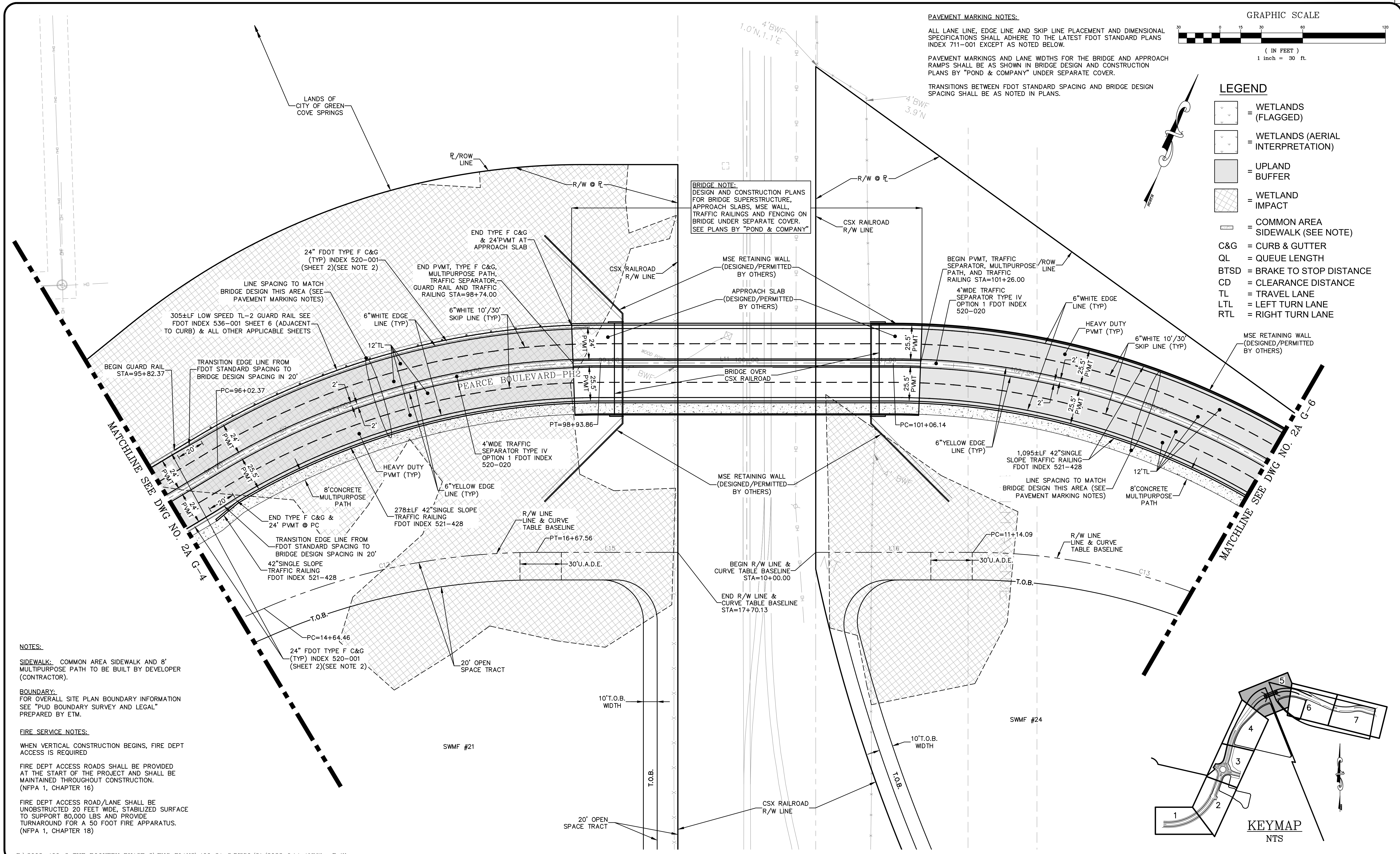
PAVEMENT MARKING NOTES:

ALL LANE LINE, EDGE LINE AND SKIP LINE PLACEMENT AND DIMENSIONAL SPECIFICATIONS SHALL ADHERE TO THE LATEST FDOT STANDARD PLANS INDEX 711-001 EXCEPT AS NOTED BELOW.

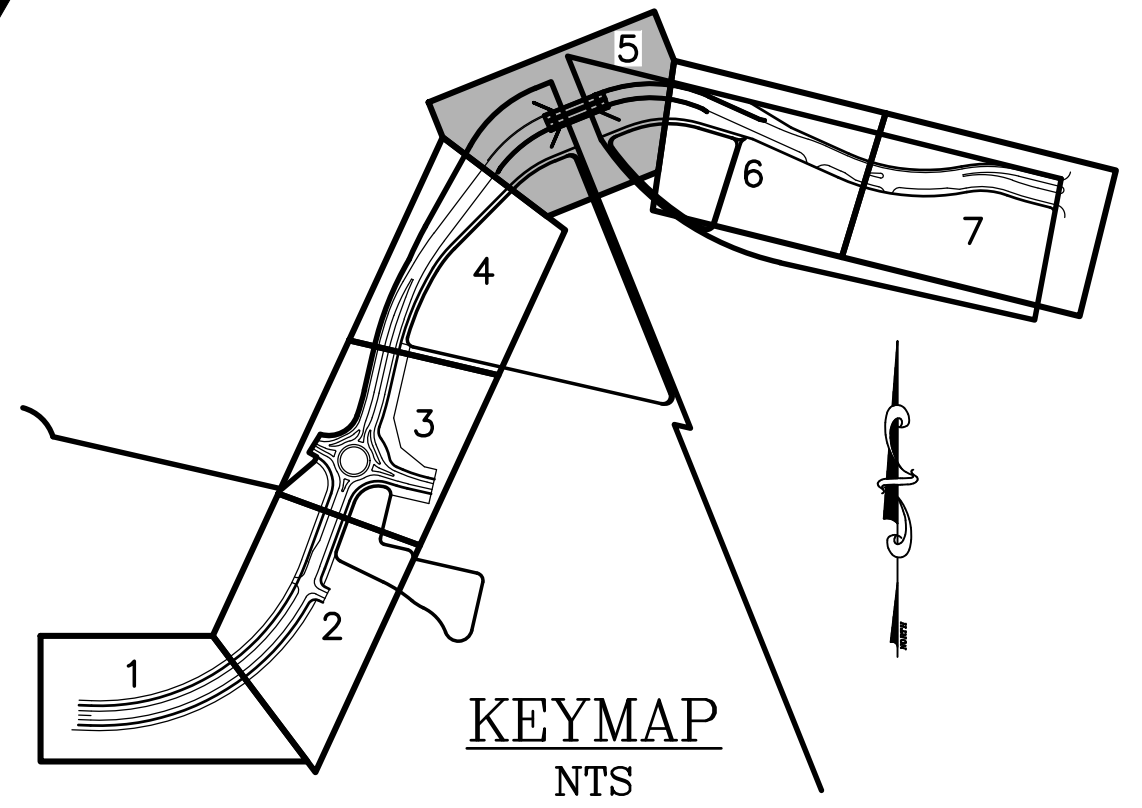
PAVEMENT MARKINGS AND LANE WIDTHS FOR THE BRIDGE AND APPROACH RAMPS SHALL BE AS SHOWN IN BRIDGE DESIGN AND CONSTRUCTION PLANS BY "POND & COMPANY" UNDER SEPARATE COVER.

TRANSITIONS BETWEEN FDOT STANDARD SPACING AND BRIDGE DESIGN SPACING SHALL BE AS NOTED IN PLANS.

BRIDGE NOTE:
DESIGN AND CONSTRUCTION PLANS FOR BRIDGE SUPERSTRUCTURE, APPROACH SLABS, MSE WALL, TRAFFIC RAILINGS AND FENCING ON BRIDGE UNDER SEPARATE COVER. SEE PLANS BY "POND & COMPANY"



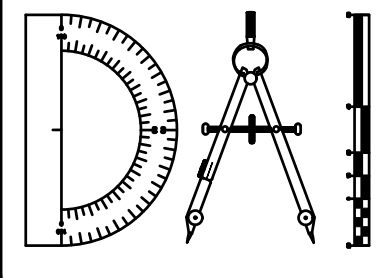
- NOTES:**
- SIDEWALK:** COMMON AREA SIDEWALK AND 8' MULTIPURPOSE PATH TO BE BUILT BY DEVELOPER (CONTRACTOR).
 - BOUNDARY:** FOR OVERALL SITE PLAN BOUNDARY INFORMATION SEE "PUD BOUNDARY SURVEY AND LEGAL" PREPARED BY ETM.
 - FIRE SERVICE NOTES:**
 - WHEN VERTICAL CONSTRUCTION BEGINS, FIRE DEPT ACCESS IS REQUIRED
 - FIRE DEPT ACCESS ROADS SHALL BE PROVIDED AT THE START OF THE PROJECT AND SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. (NFPA 1, CHAPTER 16)
 - FIRE DEPT ACCESS ROAD/LANE SHALL BE UNOBSTRUCTED 20 FEET WIDE, STABILIZED SURFACE TO SUPPORT 80,000 LBS AND PROVIDE TURNAROUND FOR A 50 FOOT FIRE APPARATUS. (NFPA 1, CHAPTER 18)



P:\2008-499-2 THE ROOKERY PHASE 2\ENG PLANS\499 2A G.DWG/21/2023 6:14 AM Mike Reilly

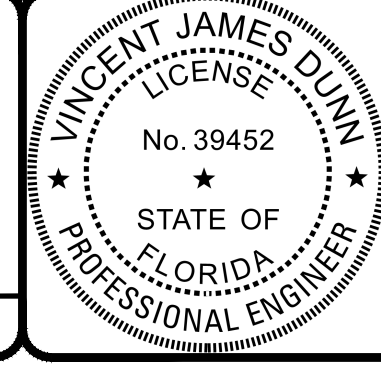
REVISIONS		
NO.	DATE	DESCRIPTION

DESIGNED BY: DAI
 DRAWN BY: MR/NS/SM/SS
 CHECKED BY: VJD
 SCALE: 1" = 30'
 DATE: 9/21/2023
 PROJ. NO.: 2008-499-2



Dunn & Associates, Inc.
 CIVIL ENGINEERS / LAND PLANNERS
 8647 Baypine Road, Suite 200
 Jacksonville, Florida 32256
 Phone: (904)363-8916 Fax: (904)363-8917
 www.dunneng.com

THE ROOKERY - PH 2A, 2B & (PHASE 3 CLEARING & GRADING)
 FOR:
D.R. HORTON INC. - JACKSONVILLE
 CLAY COUNTY, FLORIDA
 2A GEOMETRY PLAN - PEARCE BLVD

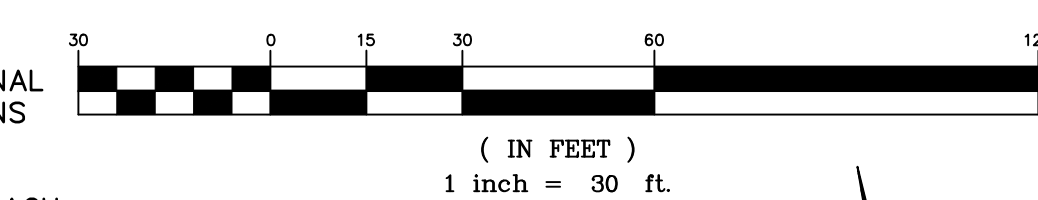


This item has been electronically signed and sealed by Vincent J. Dunn, P.E. on 09/21/2023 using a Digital Signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

VINCENT J. DUNN ENGINEER NO. 39452
 DAVID M. TAYLOR ENGINEER NO. 44184
 GLEN R. WIEGER ENGINEER NO. 81412

Sheet No. 22 of 130
2A G-5
 DWG. NO.

GRAPHIC SCALE



BRIDGE NOTE:
DESIGN AND CONSTRUCTION PLANS FOR BRIDGE SUPERSTRUCTURE, APPROACH SLABS, MSE WALL AND TRAFFIC RAILINGS AND FENCING UNDER SEPARATE COVER. SEE PLANS BY "POND & COMPANY"

PAVEMENT MARKING NOTES:

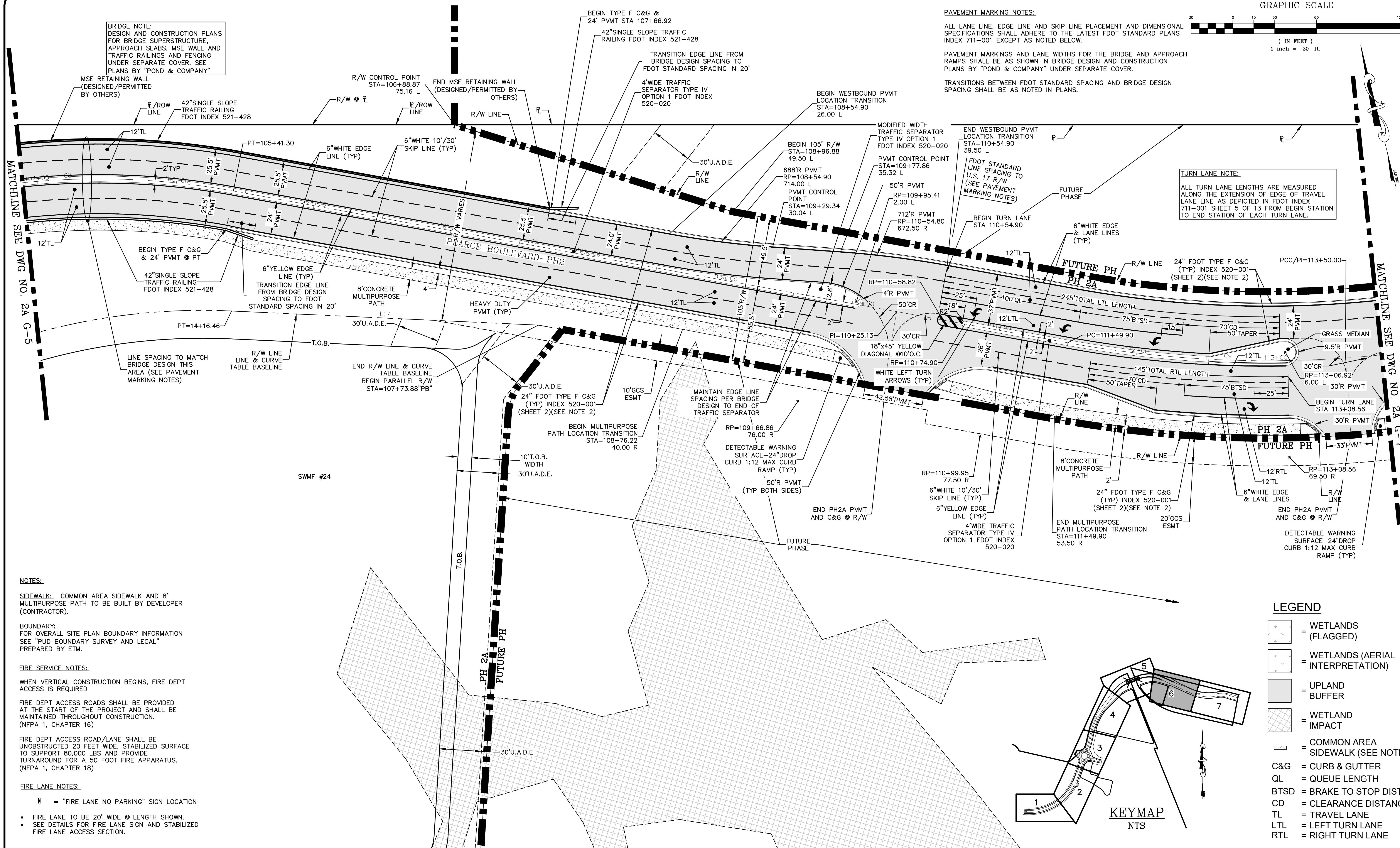
ALL LANE LINE, EDGE LINE AND SKIP LINE PLACEMENT AND DIMENSIONAL SPECIFICATIONS SHALL ADHERE TO THE LATEST FDOT STANDARD PLANS INDEX 711-001 EXCEPT AS NOTED BELOW.

PAVEMENT MARKINGS AND LANE WIDTHS FOR THE BRIDGE AND APPROACH RAMPS SHALL BE AS SHOWN IN BRIDGE DESIGN AND CONSTRUCTION PLANS BY "POND & COMPANY" UNDER SEPARATE COVER.

TRANSITIONS BETWEEN FDOT STANDARD SPACING AND BRIDGE DESIGN SPACING SHALL BE AS NOTED IN PLANS.

TURN LANE NOTE:

ALL TURN LANE LENGTHS ARE MEASURED ALONG THE EXTENSION OF EDGE OF TRAVEL LANE LINE AS DEPICTED IN FDOT INDEX 711-001 SHEET 5 OF 13 FROM BEGIN STATION TO END STATION OF EACH TURN LANE.



NOTES:
SIDEWALK: COMMON AREA SIDEWALK AND 8' MULTIPURPOSE PATH TO BE BUILT BY DEVELOPER (CONTRACTOR).
BOUNDARY: FOR OVERALL SITE PLAN BOUNDARY INFORMATION SEE "PUD BOUNDARY SURVEY AND LEGAL" PREPARED BY ETM.
FIRE SERVICE NOTES:
WHEN VERTICAL CONSTRUCTION BEGINS, FIRE DEPT ACCESS IS REQUIRED
FIRE DEPT ACCESS ROADS SHALL BE PROVIDED AT THE START OF THE PROJECT AND SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. (NFPA 1, CHAPTER 16)
FIRE DEPT ACCESS ROAD/LANE SHALL BE UNOBSTRUCTED 20 FEET WIDE, STABILIZED SURFACE TO SUPPORT 80,000 LBS AND PROVIDE TURNAROUND FOR A 50 FOOT FIRE APPARATUS. (NFPA 1, CHAPTER 18)
FIRE LANE NOTES:
H = "FIRE LANE NO PARKING" SIGN LOCATION
• FIRE LANE TO BE 20' WIDE @ LENGTH SHOWN.
• SEE DETAILS FOR FIRE LANE SIGN AND STABILIZED FIRE LANE ACCESS SECTION.

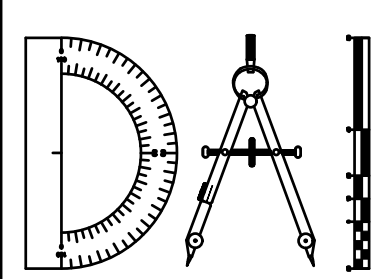
LEGEND
WETLANDS (FLAGGED)
WETLANDS (AERIAL INTERPRETATION)
UPLAND BUFFER
WETLAND IMPACT
COMMON AREA SIDEWALK (SEE NOTE)
C&G = CURB & GUTTER
QL = QUEUE LENGTH
BTSD = BRAKE TO STOP DISTANCE
CD = CLEARANCE DISTANCE
TL = TRAVEL LANE
LTL = LEFT TURN LANE
RTL = RIGHT TURN LANE

KEYMAP
NTS

P:\2008-499-2 THE ROOKERY PHASE 2\ENG PLANS\499 2A G.DWG/9/21/2023 6:14 AMMike Reilly

REVISIONS		
NO.	DATE	DESCRIPTION

DESIGNED BY: DAI
DRAWN BY: MR/NS/SM/SS
CHECKED BY: VJD
SCALE: 1" = 30'
DATE: 9/21/2023
PROJ. NO.: 2008-499-2



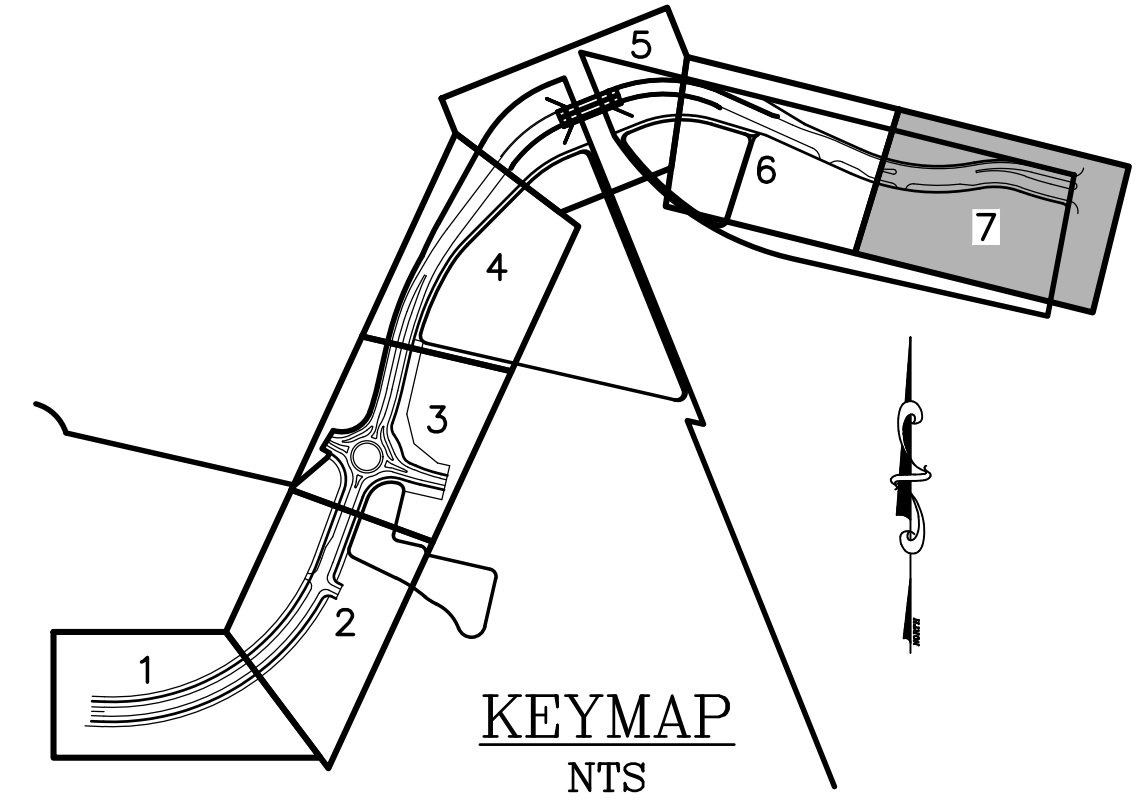
Dunn & Associates, Inc.
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THE ROOKERY - PH 2A, 2B & (PHASE 3 CLEARING & GRADING)
FOR:
D.R. HORTON INC. - JACKSONVILLE
CLAY COUNTY, FLORIDA
2A GEOMETRY PLAN - PEARCE BLVD

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VINCENT J. DUNN ENGINEER NO. 39452
DAVID M. TAYLOR ENGINEER NO. 44184
GLEN R. WIEGER ENGINEER NO. 81412

Sheet No. 23 of 130
2A G-6
DWG. NO.

THE ROOKERY - PH 2A, 2B & (PHASE 3 CLEARING & GRADING)



NOTES:

SIDEWALK: COMMON AREA SIDEWALK AND 8' MULTIPURPOSE PATH TO BE BUILT BY DEVELOPER (CONTRACTOR).

BOUNDARY: FOR OVERALL SITE PLAN BOUNDARY INFORMATION SEE "PUD BOUNDARY SURVEY AND LEGAL" PREPARED BY ETM.

PAVEMENT MARKING NOTES:

ALL LANE LINE, EDGE LINE AND SKIP LINE PLACEMENT AND DIMENSIONAL SPECIFICATIONS SHALL ADHERE TO THE LATEST FDOT STANDARD PLANS INDEX 711-001

FIRE SERVICE NOTES:

WHEN VERTICAL CONSTRUCTION BEGINS, FIRE DEPT ACCESS IS REQUIRED

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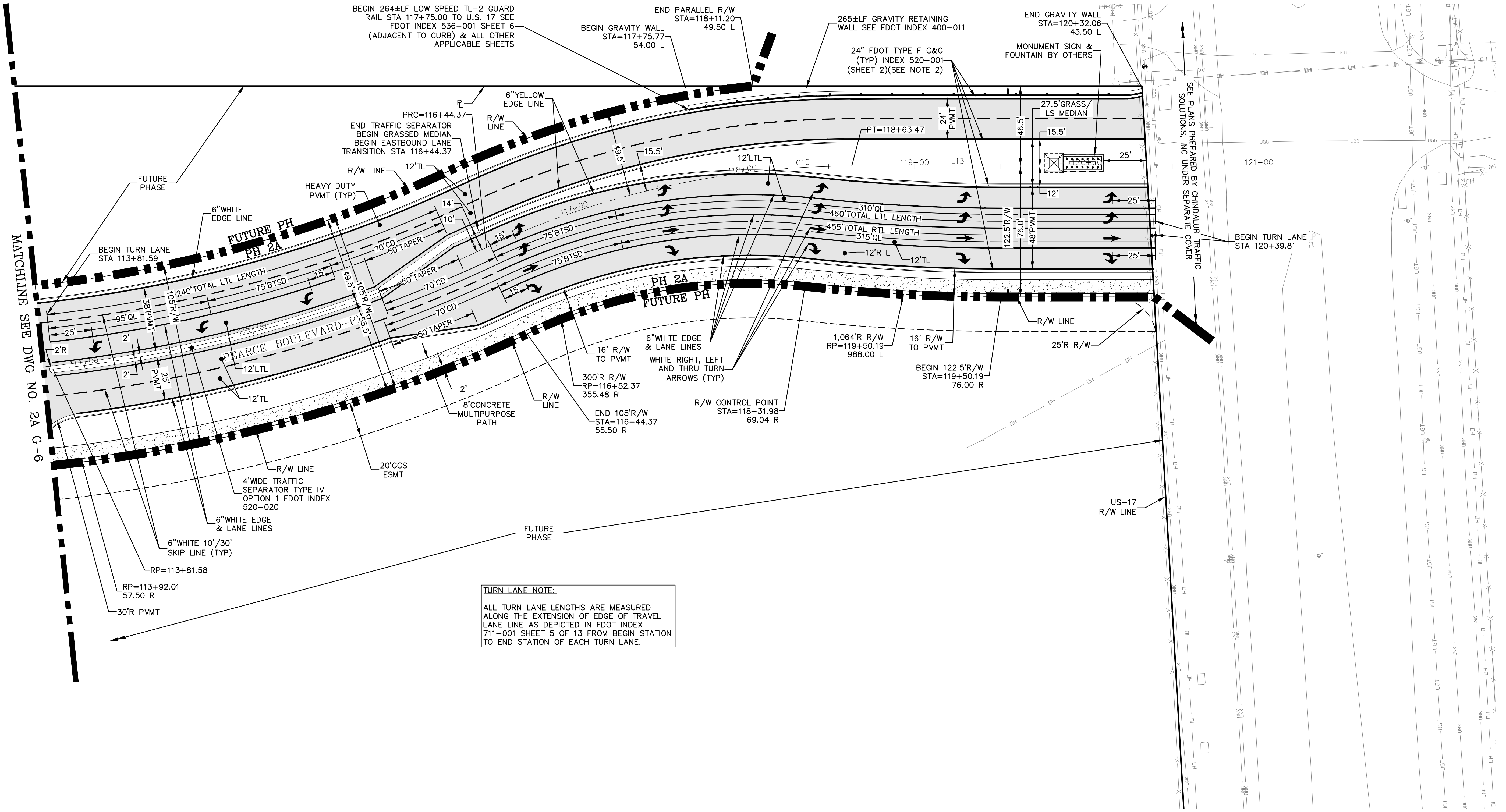
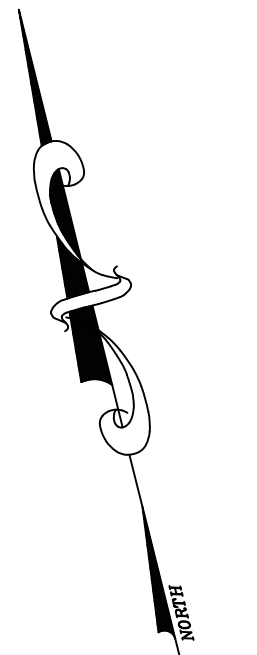
LEGEND

- COMMON AREA SIDEWALK (SEE NOTE)
C&G = CURB & GUTTER
QL = QUEUE LENGTH
BTSD = BRAKE TO STOP DISTANCE
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TL = TRAVEL LANE
LTL = LEFT TURN LANE
RTL = RIGHT TURN LANE

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

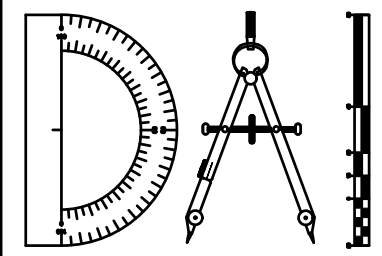


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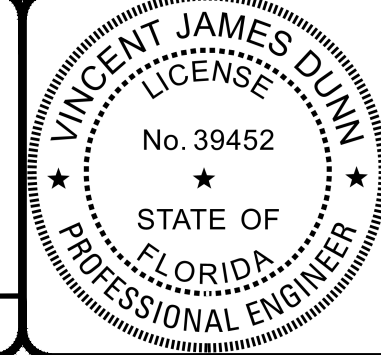
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DESIGNED BY: DAI
DRAWN BY: MR/NS/SM/SS
CHECKED BY: VJD
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Sheet No. 24 of 130
2A G-7
DWG. NO.



STAFF REPORT

CITY OF GREEN COVE SPRINGS, FLORIDA

TO: Planning and Zoning Commission **MEETING DATE:** July 23, 2024
FROM: Michael Daniels, AICP, Development Services Director
SUBJECT: R-11-2024 Resolution establishing standard operating procedures to implement the requirements set forth in Senate Bill 328, Live Local Amendment Act relating to Affordable Housing Regulations.

BACKGROUND

The purpose of this resolution is to provide the city’s interpretation and set the operating procedures to process eligible affordable housing projects meeting the criteria set forth in Senate Bill 328, which amends the Affordable Housing Preemption Bill (Live Local Act or “LLA”) that was originally approved by the state legislature and signed into law during the 2023 Legislative Session.

For ease of reference and to avoid redundancy throughout this memorandum, a development seeking approval through LLA will be referred to as a “qualifying development or qualifying developments.”

On March 29, 2023, Governor Ron Desantis signed into law Senate Bill 102, also known as the "Live Local Act" ("LLA"). This bill took effect on July 1, 2023, and precludes local governments' ability to apply their use, height, and density restrictions and hearing processes to certain multi-family and mixed-use affordable housing developments. Importantly, LLA doesn't preempt other applicable local laws and regulations.

- LLA requires local governments to administratively approve development projects:
 - Where at least forty percent (40%) of the residential units are affordable in a rental agreement (as defined in section 420.0004 Fl. St.) in a rental agreement for at least thirty (30) years; or
 - If developed as a mixed-use project, at least sixty-five percent (65%) of the square footage is used for residential purposes (of which forty percent (40%) are affordable as defined in section 420.0004 Fl. St.); and are located within commercial, industrial, or mixed-use zoning districts. FS 166.04151(7a)
- Local governments are required to allow projects to develop at the highest allowed density on any land within the local government where residential density is allowed. FS 166.04151(7b)
- Local governments cannot restrict height below the highest allowed for a commercial or residential development within the city limits and within one (1) mile of the proposed development or three (3) stories, whichever is higher. FS 166.04151(7c)
- Local governments must consider reducing parking for developments near a major transit stop. FS 166.04151(7e)

- Notwithstanding the provisions of the law, projects must comply with all other local land development regulations. FS 166.04151(7g)

On May 20, 2024, the Governor signed into law Senate Bill 328 “Live Local Amendment Act” codified at Chapter 2023-17, Laws of Florida, which is broad ranging legislation intended to amend the original Live Local Act and to streamline and incentivize affordable housing developments within the State of Florida (the “Revised Act”).

One of the key objectives of the revised Bill was to clarify the uncertainties and omissions that were identified as qualifying developments were proposed and processed in coordination with the requirements of the local government land development regulations. These changes include:

- Amends the phrase “if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004” to “if at least 40 percent of the residential units in a proposed multifamily development are rental units that for a period of at least 30 years, affordable as defined in s. 420.0004.” This amended phrase opens the possibility for split multifamily ownership and rental development as long as at least 40% of the total units are rental and affordable.
- Provides that proposed multifamily developments that are located in a transit-oriented development or area, as defined by the local government, must be mixed-use residential to receive approval and “otherwise complies with requirements of the county’s regulations applicable to the transit-oriented development or area except for use, height, density, and floor area ratio as provided in this section or as otherwise agreed to by the county and the applicant for the development.”
- Provides that local governments cannot limit the floor area ratio of a proposed development below 150% of the highest currently allowed floor area ratio on any land where residential development is allowed in the jurisdiction under the jurisdiction’s land development regulations.
- Clarifies that the maximum density and height allowances do not include any “bonuses, variances, or other special exceptions” provided in the jurisdiction’s land development regulations as incentives for development.
- Allows local governments to limit the maximum height allowance if the proposed development is adjacent to, on two more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes to 150 percent of the tallest building on property within one-quarter mile of the proposed development or 3 stories, whichever is higher.
- Provides that each local government must maintain a policy on its website containing the expectations for administrative approval.
- Reduces the buffer for local governments to “consider” reducing parking requirements from ½ mile of a “major transit stop” to ¼ mile of a “transit stop.”
- Requires local government to reduce parking requirements by 20% for proposed developments within ½ mile of a “major transportation hub” that have available parking within 600 feet of the proposed development and eliminates parking requirements for a proposed mixed-use residential development within an area recognized as a transit-oriented development or area.
- Provides that proposed developments located within ¼ mile of a military installation may not be administratively approved.

- Provides that the LLA preemption does not apply to “airport-impact areas as provided in s.333.03.”
- Removes the exception for recreational and commercial working waterfront.
- Clarifies that developments authorized with the preemption are treated as a conforming use even after the sunset of the preemption statute (2033) and the development’s affordability period unless the development violates the affordability term. If a development violates the affordability term, the development will be treated as a nonconforming use.
- Provides that an applicant who submitted an application, written request, or notice of intent to utilize the mandate before the effective date of the bill may notify the local government by July 1,2024, of its intent to proceed under the prior provisions of the mandate.

Other additions and revisions to the bill include Amendments to the “Missing Middle” Property Tax to incentivize affordable housing development as identified in the Live Local bill summary by the Florida Housing Coalition that is enclosed in the packet.

Included in the packet is:

- Proposed Resolution to amend the existing Standard Operating Procedures identified as part of the implementation of the Live Local Act
- Existing Live Local Act Resolution, R-23-2021
- SB 328 Enrolled Bill
- Florida Housing Coalition Bill Summary

STAFF RECOMMENDATION

Staff recommends approval of Resolution #2024-11 and repeal of Resolution 2023-21, regarding standard operating procedures to implement the requirements set forth in Senate Bill 328 which are available for use as affordable housing.

Recommended Motion:

Motion to recommend approval to City Council of Resolution #2024-11 and to repeal and replace Resolution 2023-21 establishing standard operating procedures to implement the requirements set forth in Senate Bill 328, “The Live Local Act relating to Affordable Housing Regulations.

RESOLUTION NO. R-11-2024

A RESOLUTION OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, ESTABLISHING STANDARD OPERATING PROCEDURES TO IMPLEMENT THE REQUIREMENTS SET FORTH IN SENATE BILL 328, “THE LIVE LOCAL ACT” RELATING TO AFFORDABLE HOUSING REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 29, 2023, the Governor signed into law Senate Bill 102 “Live Local Act” codified at Chapter 2023-17, Laws of Florida, which is broad ranging legislation intended to streamline and incentivize affordable housing developments within the State of Florida (the “Act”); and

WHEREAS, after review and consideration, the City Council adopted Resolution No R-21-2023 directing staff to review all project applications submitted pursuant to the Act be handled in substantial compliance with the Standard Operating Procedures set forth in Appendix A of the Resolution.

WHEREAS, the Act preempts certain use, density, and height regulations for qualifying developments that provide for the development of affordable multi-family rental housing in commercial, industrial, and mixed-use areas; and

WHEREAS, the City Commission supports affordable housing and finds it necessary to revise the City Code in order to establish equitable and respectful regulations for the development of mixed income developments as well as to implement the provisions of the Act; and

WHEREAS, Section 7.10 of the City Charter requires that all multi-family and nonresidential site plans, as well as any amendments to such site plans (except minor amendments as defined by ordinance), must be received at a public hearing and receive prior approval from the City Commission; and

WHEREAS, in order to be consistent with the provisions in the City Charter requiring a public hearing for multi-family and non-residential site plans approved by the City Commission, the City Commission desires to require that all site plans, submitted in accordance with the Act, must be received at a public hearing before the City Manager and receive prior administrative approval from the City Manager; and

WHEREAS, the Planning and Zoning Commission, in its capacity as the Local Planning Agency, has reviewed this Resolution and recommends approval; and

WHEREAS, after review and consideration, the City Council adopted Resolution No R-21-2023 directing staff to review all project applications submitted pursuant to the Act be handled in substantial compliance with the Standard Operating Procedures set forth in Appendix A of the Resolution.

WHEREAS, on May 20, 2024, the Governor signed into law Senate Bill 328 “Live Local Act” codified at Chapter 2023-17, Laws of Florida, which is broad ranging legislation intended to amend the original Live Local Act to streamline and incentivize affordable housing developments within the State of Florida (the “Revised Act”). The Revised Act includes the following revisions:

- Eligible Zoning and Applicability
- Height and Density Allowances
- Requires local government consideration of parking reduction requirements for projects in close proximity to transit stops.
- Removes the preemption for projects near airport impact areas and eliminates the administrative approval requirement for projects near military installations.
- Removes the exception for recreational and commercial working waterfront areas.
- Revises Floor Area Ratio requirements.
- Clarifies that the maximum density and height allowances do not include any “bonuses, variances, or other special exceptions” provided in the jurisdiction’s land development regulations as incentives for development.
- Allows local governments to limit the maximum height allowance if the proposed development is adjacent to residential subdivisions meeting specific criteria.
- Reduces the buffer for local governments to “consider” reducing parking requirements from ½ mile of a “major transit stop” to ¼ mile of a “transit stop.”
- Requires local government to reduce parking requirements for proposed developments within ½ mile of a “major transportation hub” that have available parking within 600 feet of the proposed development and eliminates parking requirements for a proposed mixed-use residential development within an area recognized as a transit-oriented development or area.
- Provides clarification of non-conforming status after the statute sunsets in 2033.

WHEREAS, the Planning and Zoning Commission, in its capacity as the Local Planning Agency, has reviewed this Resolution and recommends approval; and

WHEREAS, after review and consideration, the City Council adopted Resolution No R-11-2024; and

WHEREAS, the City Council finds that it is in the best interest of the residents of the city to adopt this Ordinance.

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

SECTION 1. RECITALS. The above recitals are true and correct and are hereby incorporated herein by reference.

SECTION 2. AUTHORITY. This resolution is adopted pursuant to Article VIII,

Section 2 Florida Constitution; sections 166.021 and 166.041, Florida Statutes, the City Charter of the City of Green Cove Springs; and other applicable provisions of law.

SECTION 3. LIVE LOCAL STANDARD OPERATING PROCEDURES. The Council hereby adopts the Live Local Act Standard Operating Procedures as set forth on Appendix “A” attached hereto and incorporated herein by reference, to accomplish the goals of the Act. The Council hereby directs that any project applications submitted pursuant to the Acts shall be handled in substantial compliance with the SOP’s attached hereto.

SECTION 4. TERMINATION. By its terms, the Act expires on October 1, 2033. This Resolution and the SOPs shall likewise expire on October 1, 2033. In the event the Florida Legislature modifies the expiration date of the Act, this Resolution shall expire on such modified expiration date.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DONE AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, IN REGULAR SESSION THIS 6th DAY OF AUGUST, 2024.

CITY OF GREEN COVE SPRINGS, FLORIDA

Steven R. Kelley, Mayor

ATTEST:

Erin West, City Clerk

APPROVED AS TO FORM ONLY:

L. J. Arnold, III, City Attorney

Appendix “A” Live Local Standard Operating Procedures Policy

The purpose of this policy is to provide the city’s interpretation of LLA, identify the process for implementation, and provide additional development standards which may apply to applications seeking administrative approval pursuant to LLA. For ease of reference and to avoid redundancy throughout this memorandum, a development seeking approval through LLA will be referred to as a “qualifying development or qualifying developments.”

On March 29, 2023, Governor Ron DeSantis signed into law Senate Bill 102, also known as the "Live Local Act" ("LLA"). This bill took effect on July 1, 2023, and precludes local governments' ability to apply their use, height, and density restrictions and hearing processes to certain multi-family and mixed-use affordable housing developments. Importantly, LLA doesn't preempt other applicable local laws and regulations.

On May 20, 2024, Governor Ron Desantis signed into law Senate Bill 328, which make several amendments to s. 125.01055(7) and s. 166.04151(7) of the Florida Statutes which govern the Live Local Act’s land use preemption. This land use preemption was designed to facilitate eligible affordable housing developments on parcels zoned for commercial, industrial, and mixed-use by providing favorable use, density, height, and administrative approval standards. The SB 328 Amendments are incorporated into the revised standard operating procedures below:

- LLA requires local governments to administratively approve development projects:
 - Where at least forty percent (40%) of the residential units in a proposed multifamily development are rental units that are affordable in a rental agreement (as defined in section 420.0004 Fl. St.) for a period of at least thirty (30) years; or
 - If developed as a mixed-use project, at least sixty-five percent (65%) of the square footage is used for residential purposes (of which forty percent (40%) are affordable as defined in section 420.0004 Fl. St.); and are located within commercial, industrial, or mixed-use zoning districts. FS 166.04151(7a)
 - Proposed multifamily developments that are located in a transit-oriented development or area, as defined by the local government, must be mixed-use residential to receive approval with the tool and “otherwise comply with requirements of the city’s regulations applicable to the transit-oriented development or area except for use, height, density, and floor area ratio as provided in this section or as otherwise agreed to by the city and the applicant for the development.”
- Qualifying projects can develop at the highest allowed density on any land within the local government where residential density is allowed. FS 166.04151(7b)
- The floor area ratio of a proposed development cannot be limited to below 150% of the highest currently allowed floor area ratio on any land where residential development is allowed.
- Maximum density and height allowances do not include any “bonuses, variances, or other special exceptions” provided in the jurisdiction’s land development regulations as incentives for development.
- Local governments cannot restrict height below the highest allowed for a commercial or residential development within the city limits and within one (1) mile of the proposed development or three (3) stories, whichever is higher. FS 166.04151(7c)
- The City can limit the maximum height allowance if the proposed development is adjacent to, on two more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes to 150 percent of the tallest building on property within one-quarter mile of the proposed development or 3 stories, whichever is higher.
- Provides that each local government must maintain a policy on its website containing the expectations for administrative approval under the tool.
- Excludes projects located within an airport impact area as defined in s. 333.03 Notwithstanding the provisions of the law, projects must comply with all other local land development regulations. FS 166.04151(7g)

- Eliminates administrative approval for projects located within a ¼ mile of a military installation.
- Developments authorized with the preemption are treated as a conforming use even after the sunset of the preemption statute (2033) and the development’s affordability period unless the development violates the affordability term. If a development violates the affordability term, the development will be treated as a nonconforming use.
- **Applicable Zoning Districts**
- Pursuant to the City of Green Cove Springs Land Development Code (“LDC”), the following zoning districts will be eligible for qualifying developments:
 - RPO Residential Professional Office
 - C-1 Neighborhood Commercial
 - C-2 General Commercial
 - M-1 Light Industrial
 - M-2 Heavy Industrial
 - CBD Central Business District
 - GCC Gateway Corridor Commercial
 - GCN Gateway Corridor Neighborhood
- **Residential Density**
- The City’s most intensive future land use category that allows residential density is Mixed-Use Reynolds Park, which allows up to 40 units to the acre by right. This will be the density permitted for qualifying (single use and mixed-use developments).
- **Allowable Height**
- Pursuant to FS 166.04151(7c) a municipality may not restrict height below the highest allowed for either commercial or residential development within the city limits and within one (1) mile of the qualifying development, or three (3) stories, whichever is higher. Sec. 117-6 provides the permitted maximum heights for all zoning districts, with heights ranging from 35’ to 70’.
- **Other Applicable Standards for Development**
- **Mixed-Use Projects** Except for the residential density and allowable height standards described above, the following shall apply to mixed-use qualifying developments:
 - A mixed-use development requesting to utilize LLA must provide at a minimum ten percent (10%) of the project as non-residential. This would be measured as a percentage of the total square footage proposed for residential and non-residential uses.
 - For the residential portion of a mixed-use development, development shall comply with the provisions set forth in section 117-566 of the Gateway Corridor Commercial Zoning District. Vertical Mixed-Use Development (i.e. commercial on first floor and residential, for example) shall comply with the provisions set forth in Sec. 117-566(2) except for the requirement in section 117-566(2)(a) requiring additional lot area for more than two dwelling units.
- For the non-residential portions of a mixed-use development shall comply with the requirements of the underlying zoning district.

Single Use Projects (Residential Only) Except for the residential density and allowable height standards described above, the following shall apply to single use qualifying developments:

- Developments shall comply with the provisions set forth in section 117-566(2) of the Gateway Corridor Commercial District for multifamily dwellings except for the requirement in section 117-566(2)(a) requiring additional lot area for more than two dwelling units.

Parking

LLA requires a local government to reduce parking requirements by 20% for proposed developments within ½ mile of a “major transportation hub” as defined in the statute, which have available parking within 600 feet of the proposed development and eliminates parking requirements for a proposed mixed-use residential development within an area recognized as a transit-oriented development or area. There currently is not a major transit stop within the city limits.

Transit service in the City is supported by Clay Community Transportation (CCT) flex service shuttles, managed by the Jacksonville Transit Authority. There are two CCT routes that service the city with stops at the Clay County Health Department and Courthouse. Transit represents a small to de minimis percentage of transportation users within the City. Pursuant to the definition of a “major transit stop” in as set forth in the statute), it is reasonable to state there is no major transit stop in the City of Green Cove Springs, as a result the parking standards set forth in Sec. 113-157 (d) shall apply. However, with a ¼ mile of a transit stop, the City must consider reducing the parking requirements for an eligible project.

The city must consider reducing parking for developments within a ¼ mile of a transit stop.

Other Development Standards (such as but not limited to Stormwater, landscaping etc.) Shall comply with the applicable requirements set forth in the Land Development Code.

Process for Approval

The approval process for a qualifying development located within an eligible zoning district, as outlined above, shall include payment of fees, an application, site development plan, an affidavit of commitment to City of Green Cove Springs affordable housing standards for income qualification, monitoring, inspection and other.

Minimum requirements for Site Development Plan approval of a proposed quality project shall include the following:

1. A completed site plan application and attachments as set forth in the City’s site plan submittal requirements in Sec. 101-357.
2. Project Narrative – Application shall contain a narrative which demonstrates compliance with Section 166.04151 (7) (a) – (g), Florida Statutes and applicable LDC provisions.
3. Affidavit of Commitment – Applicant must file an Affidavit of Commitment to record a Land Use Restriction Agreement (LURA) detailing the affordable housing restrictions, to comply with the monitoring and other requirements of the city and F.S. 166.04151 Florida Statutes. The LURA shall also outline the penalties and remedies for not complying with the LURA a for a 30-year affordable housing project in compliance with Florida Statutory Requirements set forth in subsection (8) of section 125.01055.

RESOLUTION NO. R-21-2023

A RESOLUTION OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, ESTABLISHING STANDARD OPERATING PROCEDURES TO IMPLEMENT THE REQUIREMENTS SET FORTH IN SENATE BILL 102, “THE LIVE LOCAL ACT” RELATING TO AFFORDABLE HOUSING REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 29, 2023, the Governor signed into law Senate Bill 102 “Live Local Act” codified at Chapter 2023-17, Laws of Florida, which is broad ranging legislation intended to streamline and incentivize affordable housing developments within the State of Florida (the “Act”); and

WHEREAS, the Act preempts certain use, density, and height regulations for qualifying developments that provide for the development of affordable multi-family rental housing in commercial, industrial, and mixed-use areas; and

WHEREAS, the City Commission supports affordable housing and finds it necessary to revise the City Code in order to establish equitable and respectful regulations for the development of mixed income developments as well as to implement the provisions of the Act; and

WHEREAS, Section 7.10 of the City Charter requires that all multi-family and nonresidential site plans, as well as any amendments to such site plans (except minor amendments as defined by ordinance), must be received at a public hearing and receive prior approval from the City Commission; and

WHEREAS, in order to be consistent with the provisions in the City Charter requiring a public hearing for multi-family and non-residential site plans approved by the City Commission, the City Commission desires to require that all site plans, submitted in accordance with the Act, must be received at a public hearing before the City Manager and receive prior administrative approval from the City Manager; and

WHEREAS, the Planning and Zoning Commission, in its capacity as the Local Planning Agency, has reviewed this Ordinance and recommends approval; and

WHEREAS, after review and consideration, the City Council desires to adopt the proposed amendments; and

WHEREAS, the City Council finds that it is in the best interest of the residents of the City to adopt this Ordinance.

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

SECTION 1. RECITALS. The above recitals are true and correct and are hereby incorporated herein by reference.

SECTION 2. AUTHORITY. This resolution is adopted pursuant to Article VIII, Section 2 Florida Constitution; sections 166.021 and 166.041, Florida Statutes, the City Charter of the City of Green Cove Springs; and other applicable provisions of law.

SECTION 3. LIVE LOCAL STANDARD OPERATING PROCEDURES. The Council hereby adopts the Live Local Act Standard Operating Procedures as set forth on Appendix "A" attached hereto and incorporated herein by reference, to accomplish the goals of the Act. The Council hereby directs that any project applications submitted pursuant to the Acts shall be handled in substantial compliance with the SOP's attached hereto.

SECTION 4. TERMINATION. By its terms, the Act expires on October 1, 2033. This Resolution and the SOPs, shall likewise expire on October 1, 2033. In the event the Florida Legislature modifies the expiration date of the Act, this Resolution shall expire on such modified expiration date.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DONE AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, IN REGULAR SESSION THIS 7TH DAY OF NOVEMBER, 2023.

CITY OF GREEN COVE SPRINGS, FLORIDA




Constance Butler, Mayor

ATTEST:



Erin West, City Clerk

APPROVED AS TO FORM ONLY:



L. J. Arnold, III, City Attorney

Appendix “A” Live Local Standard Operating Procedures Policy

The purpose of this policy is to provide the city’s interpretation of LLA, identify the process for implementation, and provide additional development standards which may apply to applications seeking administrative approval pursuant to LLA. For ease of reference and to avoid redundancy throughout this memorandum, a development seeking approval through LLA will be referred to as a “qualifying development or qualifying developments”.

On March 29, 2023, Governor Ron DeSantis signed into law Senate Bill 102, also known as the "Live Local Act" ("LLA"). This bill took effect on July 1, 2023, and precludes local governments' ability to apply their use, height, and density restrictions and hearing processes to certain multi-family and mixed-use affordable housing developments. Importantly, LLA doesn't preempt other applicable local laws and regulations.

- LLA requires local governments to administratively approve development projects:
 - Where at least forty percent (40%) of the residential units are affordable in a rental agreement (as defined in section 420.0004 Fl. St.) in a rental agreement for at least thirty (30) years; or
 - If developed as a mixed-use project, at least sixty-five percent (65%) of the square footage is used for residential purposes (of which forty percent (40%) are affordable as defined in section 420.0004 Fl. St.); and are located within commercial, industrial, or mixed-use zoning districts. FS 166.04151(7a)
- Local governments are required to allow projects to develop at the highest allowed density on any land within the local government where residential density is allowed. FS 166.04151(7b)
- Local governments cannot restrict height below the highest allowed for a commercial or residential development within the city limits and within one (1) mile of the proposed development or three (3) stories, whichever is higher. FS 166.04151(7c)
- Local governments must consider reducing parking for developments near a major transit stop. FS 166.04151(7e)
- Notwithstanding the provisions of the law, projects must comply with all other local land development regulations. FS 166.04151(7g)
- This subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial. FS 166.04151(7h)

Applicable Zoning Districts

Pursuant to the City of Green Cove Springs Land Development Code (“LDC”), the following zoning districts will be eligible for qualifying developments:

- RPO Residential Professional Office
- C-1 Neighborhood Commercial
- C-2 General Commercial
- M-1 Light Industrial
- M-2 Heavy Industrial
- CBD Central Business District
- GCC Gateway Corridor Commercial
- GCN Gateway Corridor Neighborhood

Residential Density

The City’s most intensive future land use category that allows residential density is Mixed-Use Reynolds Park, which allows up to 40 units to the acre by right. This will be the density permitted for qualifying (single use and mixed-use developments).

Allowable Height

Pursuant to FS 166.04151(7c) a municipality may not restrict height below the highest allowed for either commercial or residential development within the city limits and within one (1) mile of the qualifying development, or three (3) stories, whichever is higher. Sec. 117-6 provides the permitted maximum heights for all zoning districts, with heights ranging from 35’ to 70’.

Other Applicable Standards for Development

Mixed-Use Projects Except for the residential density and allowable height standards described above, the following shall apply to mixed-use qualifying developments:

- A mixed-use development requesting to utilize LLA must provide at a minimum ten percent (10%) of the project as non-residential. This would be measured as a percentage of the total square footage proposed for residential and non-residential uses.
- For the residential portion of a mixed-use development, development shall comply with the provisions set forth in section 117-566 of the Gateway Corridor Commercial Zoning District. Vertical Mixed-Use Development (i.e. commercial on first floor and residential, for example) shall comply with the provisions set forth in Sec. 117-566(2).
- For the non-residential portions of a mixed-use development shall comply with the requirements of the underlying zoning district.

Single Use Projects (Residential Only) Except for the residential density and allowable height standards described above, the following shall apply to single use qualifying developments:

- Developments within the Neighborhood Future Land Use Category shall comply with the provisions set forth in section 117-123 for the Residential, High-Density R-3 Zoning District Category if located in the Neighborhood Future Land Use Category.
- Developments within the Commercial or Industrial Future Land Use Designations shall utilize the provisions set forth in section 117-566(2) of the Gateway Corridor Commercial District.

Parking

LLA requires a local government to “consider” reduced parking for a qualifying development within ½ mile of a major transit stop. Transit service in the City is supported by Clay Community Transportation (CCT) flex service shuttles, managed by the Jacksonville Transit Authority. There are two CCT routes that service the City with stops at the Clay County Health Department and Courthouse. Transit represents a small to de minimis percentage of transportation users within the City. While there isn’t a definition of a “major transit stop” in the City’s Land Development Code (as set forth in the statute), it is reasonable to state there is no major transit stop in the City of Green Cove Springs, as a result the parking standards set forth in Sec. 113-157 (d) shall apply.

Other Development Standards (such as but not limited to Stormwater, landscaping etc.) Shall comply with the applicable requirements set forth in the Land Development Code.

Process for Approval

The approval process for a qualifying development located within an eligible zoning district, as outlined above, shall include payment of fees, an application, site development plan, an affidavit of commitment to City of Green Cove Springs affordable housing standards for income qualification, monitoring, inspection and other.

Minimum requirements for Site Development Plan approval of a proposed quality project shall include the following:

1. A completed site plan application and attachments as set forth in the City's site plan submittal requirements in Sec. 101-357.
2. Project Narrative – Application shall contain a narrative which demonstrates compliance with Section 166.04151 (7) (a) – (g), Florida Statutes and applicable LDC provisions.
3. Affidavit of Commitment – Applicant must file an Affidavit of Commitment to record a Land Use Restriction Agreement (LURA) detailing the affordable housing restrictions, to comply with the monitoring and other requirements of the city and F.S. 166.04151 Florida Statutes. The LURA shall also outline the penalties and remedies for not complying with the LURA and the local and state requirements for a 30-year affordable housing project.



Summary of 2024’s Live Local Act amendments (2024) - Final

SB 328 + HB 7073: Amendments to the Live Local Act

Contact: Kody Glazer, Chief Legal and Policy Officer, glazer@flhousing.org

As of February 28, 2024, the House and Senate have officially passed Senate Bill 328 – the 2024 Legislative Session’s core Live Local Act amendment bill. This bill amends the Live Local Act’s land use preemption, the “Missing Middle” Property Tax Exemption, and funds the Hometown Hero Housing Program at \$100 million. The next step is for this bill to be sent to the Governor’s desk for final signature. Note that the bill will go into effect right upon it becoming a law – it will not need to wait until July 1 like most other bills.

In addition to SB 328, the 2024 Legislative Session’s tax package (HB 7073) also amends the Live Local Act – specifically the missing middle property tax exemption – and creates a new affordable housing property tax exemption. This document tracks all the policy changes and additions to the Live Local Act.

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SB 328 - Amendments to the Live Local Act’s Land Use Preemption

SB 328 makes several amendments to s. 125.01055(7) and s. 166.04151(7) of the Florida Statutes which govern the Live Local Act’s land use preemption. This land use preemption was designed to facilitate eligible affordable housing developments on parcels zoned for commercial, industrial, and mixed-use by providing favorable use, density, height, and administrative approval standards.

Eligible Zoning & Applicability

- Amends the phrase “if at least 40 percent of the residential units in a proposed multifamily **rental** development are, for a period of at least 30 years, affordable as defined in s. 420.0004” to “if at least 40 percent of the residential units in a proposed multifamily development are **rental units that**, for a period of at least 30 years, affordable as defined in s. 420.0004.” This amended phrase opens the possibility for a split multifamily ownership and rental development as long as least 40% of the total units are rental *and* affordable.



- Provides that proposed multifamily developments that are located in a transit-oriented development or area, as defined by the local government, must be mixed-use residential to receive approval with the tool and “otherwise complies with requirements of the county’s regulations applicable to the transit-oriented development or area except for use, height, density, and floor area ratio as provided in this section or as otherwise agreed to by the county and the applicant for the development.”

Height and Density Allowances

- Newly provides that local governments cannot limit the floor area ratio of a proposed development below 150% of the highest currently allowed floor area_ratio on any land where residential development is allowed in the jurisdiction under the jurisdiction’s land development regulations.
- Clarifies that the maximum density and height allowances do not include any “bonuses, variances, or other special exceptions” provided in the jurisdiction’s land development regulations as incentives for development.
- Allows local governments to limit the maximum height allowance if the proposed development is adjacent to, on two more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes to 150 percent of the tallest building on property within one-quarter mile of the proposed development or 3 stories, whichever is higher.

Additional Provisions

- Provides that each local government must maintain a policy on its website containing the expectations for administrative approval under the tool.
- Reduces the buffer for local governments to “consider” reducing parking requirements from ½ mile of a “major transit stop” to ¼ mile of a “transit stop.” This will establish a lower buffer and encourage reducing parking requirements for projects near any transit stop, not just a “major” transit stop.
- Requires local government to reduce parking requirements by 20% for proposed developments within ½ mile of a “major transportation hub” that have available parking within 600 feet of the proposed development and eliminates parking requirements for a proposed mixed-use residential development within an area recognized as a transit-oriented development or area.
- Provides that proposed developments located within ¼ mile of a military installation may not be administratively approved.
- Provides that the land use preemption does not apply to “airport-impact areas as provided in s. 333.03” and removes the exception for recreational and commercial working waterfront.
- Creates clear criteria for when the preemption does not apply in close proximity to an airport.
- Clarifies that developments authorized with the preemption are treated as a conforming use even after the sunset of the preemption statute (2033) and the development’s affordability period unless the development violates the affordability term. If a development violates the affordability term, the development will be treated as a nonconforming use.
- Provides that an applicant who submitted an application, written request, or notice of intent to utilize the mandate before the effective date of the bill may notify the local government by July 1, 2024, of its intent to proceed under the prior provisions of the mandate.



SB 328 + HB 7073 - Amendments to the “Missing Middle” Property Tax Exemption

The Live Local Act created a new affordable housing property tax exemption (called the “missing middle” property tax exemption or “Multifamily Middle Market” exemption) that provides two different tiers of exemptions for developments that have 71 or more affordable units to households that earn up to 120% of the Area Median Income (AMI). Units within an eligible development that serve households between 80-120% AMI can receive a 75% property tax exemption and units that serve households below 80% AMI can receive a 100% property tax exemption.

SB 328 and HB 7073 makes a few amendments to the Missing Middle Property Tax Exemption enacted at s. 196.1978(3) of the Florida Statutes.

SB 328 Provisions

- Extends exemption eligibility to developments with more than 10 affordable units if the development is located in an area of critical state concern.
- Clarifies the exemption only applies to the affordable units within an eligible development.
- Provides how a property appraiser shall determine the value of an affordable unit eligible for the exemption.
- Authorizes the county property appraiser to “request and review additional information necessary” to determine eligibility for the exemption.

HB 7073 - New “Opt-Out” from the 80-120% AMI missing middle exemption

- Grants certain taxing authorities the ability to opt out from providing the 80-120% AMI “missing middle” property tax exemption to developments within their jurisdiction that would otherwise qualify.
- Criteria for a taxing authority to be able to “opt-out” from the 80-120% AMI exemption:
 - The taxing authority must be in a county in which the number of affordable and available units for households at or below 120% AMI is greater than the number of households at that income level, as determined by the most recent Shimberg Center for Housing Studies Annual Report.
 - An ordinance or resolution to opt out from providing the property tax exemption must be approved by a two-thirds vote of the local governing body.
 - The ordinance or resolution must be renewed annually by January 1.
 - Any properties within an opting out jurisdiction that were previously approved for the property tax exemption would be allowed to continue to benefit from the exemption.
- “Opt-out” only applies for the specific taxing authority that opts out.
- Per the 2023 Shimberg Center for Housing Studies Annual Report, taxing authorities within 50 of Florida’s 67 counties can opt out.

New property tax exemption for FHFC-funded permanently affordable housing

HB 7073 creates a new 100% property tax exemption from for affordable housing developments that meet the following criteria.

- Eligibility criteria:



- Be composed of an improvement to land where an improvement did not previously exist or the construction of a new improvement where an old improvement was removed, which was substantially completed within 2 years before the first submission of an application for exemption.
- Contain more than 70 units that are affordable to households at or below 80% AMI
- Has a land use restriction agreement (LURA) with the Florida Housing Finance Corporation (FHFC) that requires the property to be affordable for households up to 120% for 99 years.
- Exemption only applies to units affordable to households at or below 80% AMI.
- First applies to the 2026 tax roll

Florida Hometown Hero Program

SB 328 funds the Hometown Hero Program at \$100 million using federal Coronavirus State Fiscal Recovery Fund dollars.

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1
2 An act relating to affordable housing; amending ss.
3 125.01055 and 166.04151, F.S.; clarifying application;
4 prohibiting counties and municipalities, respectively,
5 from restricting the floor area ratio of certain
6 proposed developments under certain circumstances;
7 providing that the density, floor area ratio, or
8 height of certain developments, bonuses, variances, or
9 other special exceptions are not included in the
10 calculation of the currently allowed density, floor
11 area ratio, or height by counties and municipalities,
12 respectively; authorizing counties and municipalities,
13 respectively, to restrict the height of proposed
14 developments under certain circumstances; prohibiting
15 the administrative approval by counties and
16 municipalities, respectively, of a proposed
17 development within a specified proximity to a military
18 installation; requiring counties and municipalities,
19 respectively, to maintain a certain policy on their
20 websites; requiring counties and municipalities,
21 respectively, to consider reducing parking
22 requirements under certain circumstances; requiring
23 counties and municipalities, respectively, to reduce
24 or eliminate parking requirements for certain proposed
25 mixed-use developments that meet certain requirements;
26 providing certain requirements for developments
27 located within a transit-oriented development or area;
28 defining the term "major transportation hub"; making
29 technical changes; providing requirements for

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30 developments authorized located within a transit-
31 oriented development or area; clarifying that a county
32 or municipality, respectively, is not precluded from
33 granting additional exceptions; clarifying that a
34 proposed development is not precluded from receiving a
35 bonus for density, height, or floor area ratio if
36 specified conditions are satisfied; requiring that
37 such bonuses be administratively approved by counties
38 and municipalities, respectively; revising
39 applicability; authorizing that specified developments
40 be treated as a conforming use under certain
41 circumstances; authorizing that specified developments
42 be treated as a nonconforming use under certain
43 circumstances; authorizing applicants for certain
44 proposed developments to notify a county or
45 municipality, as applicable, of their intent to
46 proceed under certain provisions; requiring counties
47 and municipalities to allow certain applicants to
48 submit a revised application, written request, or
49 notice of intent; amending s. 196.1978, F.S.; revising
50 the definition of the term "newly constructed";
51 revising conditions for when multifamily projects are
52 considered property used for a charitable purpose and
53 are eligible to receive an ad valorem property tax
54 exemption; making technical changes; requiring
55 property appraisers to make certain exemptions from ad
56 valorem property taxes; providing the method for
57 determining the value of a unit for certain purposes;
58 requiring property appraisers to review certain

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59 applications and make certain determinations;
60 authorizing property appraisers to request and review
61 additional information; authorizing property
62 appraisers to grant exemptions only under certain
63 conditions; revising requirements for property owners
64 seeking a certification notice from the Florida
65 Housing Finance Corporation; providing that a certain
66 determination by the corporation does not constitute
67 an exemption; revising eligibility; conforming
68 provisions to changes made by the act; amending s.
69 196.1979, F.S.; revising the value to which a certain
70 ad valorem property tax exemption applies; revising a
71 condition of eligibility for vacant residential units
72 to qualify for a certain ad valorem property tax
73 exemption; making technical changes; revising the
74 deadline for an application for exemption; revising
75 deadlines by which boards and governing bodies must
76 deliver to or notify the Department of Revenue of the
77 adoption, repeal, or expiration of certain ordinances;
78 requiring property appraisers to review certain
79 applications and make certain determinations;
80 authorizing property appraisers to request and review
81 additional information; authorizing property
82 appraisers to grant exemptions only under certain
83 conditions; providing the method for determining the
84 value of a unit for certain purposes; providing for
85 retroactive application; amending s. 333.03, F.S.;
86 excluding certain proposed developments from specified
87 airport zoning provisions; amending s. 420.507, F.S.;

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88 revising the enumerated powers of the corporation;
89 amending s. 420.5096, F.S.; making technical changes;
90 amending s. 420.518, F.S.; specifying conditions under
91 which the corporation may preclude applicants from
92 corporation programs; providing an appropriation;
93 providing an effective date.

94

95 Be It Enacted by the Legislature of the State of Florida:

96

97 Section 1. Subsection (7) of section 125.01055, Florida
98 Statutes, is amended, and subsection (8) is added to that
99 section, to read:

100 125.01055 Affordable housing.—

101 (7) (a) A county must authorize multifamily and mixed-use
102 residential as allowable uses in any area zoned for commercial,
103 industrial, or mixed use if at least 40 percent of the
104 residential units in a proposed multifamily ~~rental~~ development
105 are rental units that, for a period of at least 30 years, are
106 affordable as defined in s. 420.0004. Notwithstanding any other
107 law, local ordinance, or regulation to the contrary, a county
108 may not require a proposed multifamily development to obtain a
109 zoning or land use change, special exception, conditional use
110 approval, variance, or comprehensive plan amendment for the
111 building height, zoning, and densities authorized under this
112 subsection. For mixed-use residential projects, at least 65
113 percent of the total square footage must be used for residential
114 purposes.

115 (b) A county may not restrict the density of a proposed
116 development authorized under this subsection below the highest

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117 currently allowed density on any unincorporated land in the
118 county where residential development is allowed under the
119 county's land development regulations. For purposes of this
120 paragraph, the term "highest currently allowed density" does not
121 include the density of any building that met the requirements of
122 this subsection or the density of any building that has received
123 any bonus, variance, or other special exception for density
124 provided in the county's land development regulations as an
125 incentive for development.

126 (c) A county may not restrict the floor area ratio of a
127 proposed development authorized under this subsection below 150
128 percent of the highest currently allowed floor area ratio on any
129 unincorporated land in the county where development is allowed
130 under the county's land development regulations. For purposes of
131 this paragraph, the term "highest currently allowed floor area
132 ratio" does not include the floor area ratio of any building
133 that met the requirements of this subsection or the floor area
134 ratio of any building that has received any bonus, variance, or
135 other special exception for floor area ratio provided in the
136 county's land development regulations as an incentive for
137 development. For purposes of this subsection, the term floor
138 area ratio includes floor lot ratio.

139 (d)1.~~(e)~~ A county may not restrict the height of a proposed
140 development authorized under this subsection below the highest
141 currently allowed height for a commercial or residential
142 building development located in its jurisdiction within 1 mile
143 of the proposed development or 3 stories, whichever is higher.
144 For purposes of this paragraph, the term "highest currently
145 allowed height" does not include the height of any building that

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146 met the requirements of this subsection or the height of any
147 building that has received any bonus, variance, or other special
148 exception for height provided in the county's land development
149 regulations as an incentive for development.

150 2. If the proposed development is adjacent to, on two or
151 more sides, a parcel zoned for single-family residential use
152 which is within a single-family residential development with at
153 least 25 contiguous single-family homes, the county may restrict
154 the height of the proposed development to 150 percent of the
155 tallest building on any property adjacent to the proposed
156 development, the highest currently allowed height for the
157 property provided in the county's land development regulations,
158 or 3 stories, whichever is higher. For the purposes of this
159 paragraph, the term "adjacent to" means those properties sharing
160 more than one point of a property line, but does not include
161 properties separated by a public road.

162 (e) ~~(d)~~ A proposed development authorized under this
163 subsection must be administratively approved and no further
164 action by the board of county commissioners is required if the
165 development satisfies the county's land development regulations
166 for multifamily developments in areas zoned for such use and is
167 otherwise consistent with the comprehensive plan, with the
168 exception of provisions establishing allowable densities, floor
169 area ratios, height, and land use. Such land development
170 regulations include, but are not limited to, regulations
171 relating to setbacks and parking requirements. A proposed
172 development located within one-quarter mile of a military
173 installation identified in s. 163.3175(2) may not be
174 administratively approved. Each county shall maintain on its

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175 website a policy containing procedures and expectations for
176 administrative approval pursuant to this subsection.

177 (f)1.(e) A county must consider reducing parking
178 requirements for a proposed development authorized under this
179 subsection if the development is located within one-quarter ~~one-~~
180 ~~half~~ mile of a ~~major~~ transit stop, as defined in the county's
181 land development code, and the ~~major~~ transit stop is accessible
182 from the development.

183 2. A county must reduce parking requirements by at least 20
184 percent for a proposed development authorized under this
185 subsection if the development:

186 a. Is located within one-half mile of a major
187 transportation hub that is accessible from the proposed
188 development by safe, pedestrian-friendly means, such as
189 sidewalks, crosswalks, elevated pedestrian or bike paths, or
190 other multimodal design features; and

191 b. Has available parking within 600 feet of the proposed
192 development which may consist of options such as on-street
193 parking, parking lots, or parking garages available for use by
194 residents of the proposed development. However, a county may not
195 require that the available parking compensate for the reduction
196 in parking requirements.

197 3. A county must eliminate parking requirements for a
198 proposed mixed-use residential development authorized under this
199 subsection within an area recognized by the county as a transit-
200 oriented development or area, as provided in paragraph (h).

201 4. For purposes of this paragraph, the term "major
202 transportation hub" means any transit station, whether bus,
203 train, or light rail, which is served by public transit with a

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204 mix of other transportation options.

205 (g)~~(f)~~ For proposed multifamily developments in an
206 unincorporated area zoned for commercial or industrial use which
207 is within the boundaries of a multicounty independent special
208 district that was created to provide municipal services and is
209 not authorized to levy ad valorem taxes, and less than 20
210 percent of the land area within such district is designated for
211 commercial or industrial use, a county must authorize, as
212 provided in this subsection, such development only if the
213 development is mixed-use residential.

214 (h) A proposed development authorized under this subsection
215 which is located within a transit-oriented development or area,
216 as recognized by the county, must be mixed-use residential and
217 otherwise comply with requirements of the county's regulations
218 applicable to the transit-oriented development or area except
219 for use, height, density, floor area ratio, and parking as
220 provided in this subsection or as otherwise agreed to by the
221 county and the applicant for the development.

222 (i)~~(g)~~ Except as otherwise provided in this subsection, a
223 development authorized under this subsection must comply with
224 all applicable state and local laws and regulations.

225 (j)1. Nothing in this subsection precludes a county from
226 granting a bonus, variance, conditional use, or other special
227 exception for height, density, or floor area ratio in addition
228 to the height, density, and floor area ratio requirements in
229 this subsection.

230 2. Nothing in this subsection precludes a proposed
231 development authorized under this subsection from receiving a
232 bonus for density, height, or floor area ratio pursuant to an

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233 ordinance or regulation of the jurisdiction where the proposed
234 development is located if the proposed development satisfies the
235 conditions to receive the bonus except for any condition which
236 conflicts with this subsection. If a proposed development
237 qualifies for such bonus, the bonus must be administratively
238 approved by the county and no further action by the board of
239 county commissioners is required.

240 (k) ~~(h)~~ This subsection does not apply to:

241 1. Airport-impacted areas as provided in s. 333.03.

242 2. Property defined as recreational and commercial working
243 waterfront in s. 342.201(2) (b) in any area zoned as industrial.

244 (l) ~~(i)~~ This subsection expires October 1, 2033.

245 (8) Any development authorized under paragraph (7) (a) must
246 be treated as a conforming use even after the expiration of
247 subsection (7) and the development's affordability period as
248 provided in paragraph (7) (a), notwithstanding the county's
249 comprehensive plan, future land use designation, or zoning. If
250 at any point during the development's affordability period the
251 development violates the affordability period requirement
252 provided in paragraph (7) (a), the development must be allowed a
253 reasonable time to cure such violation. If the violation is not
254 cured within a reasonable time, the development must be treated
255 as a nonconforming use.

256 Section 2. Subsection (7) of section 166.04151, Florida
257 Statutes, is amended, and subsection (8) is added to that
258 section, to read:

259 166.04151 Affordable housing.—

260 (7) (a) A municipality must authorize multifamily and mixed-
261 use residential as allowable uses in any area zoned for

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262 commercial, industrial, or mixed use if at least 40 percent of
263 the residential units in a proposed multifamily ~~rental~~
264 development are rental units that, for a period of at least 30
265 years, are affordable as defined in s. 420.0004. Notwithstanding
266 any other law, local ordinance, or regulation to the contrary, a
267 municipality may not require a proposed multifamily development
268 to obtain a zoning or land use change, special exception,
269 conditional use approval, variance, or comprehensive plan
270 amendment for the building height, zoning, and densities
271 authorized under this subsection. For mixed-use residential
272 projects, at least 65 percent of the total square footage must
273 be used for residential purposes.

274 (b) A municipality may not restrict the density of a
275 proposed development authorized under this subsection below the
276 highest currently allowed density on any land in the
277 municipality where residential development is allowed under the
278 municipality's land development regulations. For purposes of
279 this paragraph, the term "highest currently allowed density"
280 does not include the density of any building that met the
281 requirements of this subsection or the density of any building
282 that has received any bonus, variance, or other special
283 exception for density provided in the municipality's land
284 development regulations as an incentive for development.

285 (c) A municipality may not restrict the floor area ratio of
286 a proposed development authorized under this subsection below
287 150 percent of the highest currently allowed floor area ratio on
288 any land in the municipality where development is allowed under
289 the municipality's land development regulations. For purposes of
290 this paragraph, the term "highest currently allowed floor area

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291 ratio" does not include the floor area ratio of any building
292 that met the requirements of this subsection or the floor area
293 ratio of any building that has received any bonus, variance, or
294 other special exception for floor area ratio provided in the
295 municipality's land development regulations as an incentive for
296 development. For purposes of this subsection, the term "floor
297 area ratio" includes floor lot ratio.

298 (d)1.(e) A municipality may not restrict the height of a
299 proposed development authorized under this subsection below the
300 highest currently allowed height for a commercial or residential
301 building development located in its jurisdiction within 1 mile
302 of the proposed development or 3 stories, whichever is higher.
303 For purposes of this paragraph, the term "highest currently
304 allowed height" does not include the height of any building that
305 met the requirements of this subsection or the height of any
306 building that has received any bonus, variance, or other special
307 exception for height provided in the municipality's land
308 development regulations as an incentive for development.

309 2. If the proposed development is adjacent to, on two or
310 more sides, a parcel zoned for single-family residential use
311 that is within a single-family residential development with at
312 least 25 contiguous single-family homes, the municipality may
313 restrict the height of the proposed development to 150 percent
314 of the tallest building on any property adjacent to the proposed
315 development, the highest currently allowed height for the
316 property provided in the municipality's land development
317 regulations, or 3 stories, whichever is higher. For the purposes
318 of this paragraph, the term "adjacent to" means those properties
319 sharing more than one point of a property line, but does not

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320 include properties separated by a public road.

321 (e) ~~(d)~~ A proposed development authorized under this
322 subsection must be administratively approved and no further
323 action by the governing body of the municipality is required if
324 the development satisfies the municipality's land development
325 regulations for multifamily developments in areas zoned for such
326 use and is otherwise consistent with the comprehensive plan,
327 with the exception of provisions establishing allowable
328 densities, floor area ratios, height, and land use. Such land
329 development regulations include, but are not limited to,
330 regulations relating to setbacks and parking requirements. A
331 proposed development located within one-quarter mile of a
332 military installation identified in s. 163.3175(2) may not be
333 administratively approved. Each municipality shall maintain on
334 its website a policy containing procedures and expectations for
335 administrative approval pursuant to this subsection.

336 (f) 1. ~~(e)~~ A municipality must consider reducing parking
337 requirements for a proposed development authorized under this
338 subsection if the development is located within one-quarter ~~one-~~
339 ~~half~~ mile of a ~~major~~ transit stop, as defined in the
340 municipality's land development code, and the ~~major~~ transit stop
341 is accessible from the development.

342 2. A municipality must reduce parking requirements by at
343 least 20 percent for a proposed development authorized under
344 this subsection if the development:

345 a. Is located within one-half mile of a major
346 transportation hub that is accessible from the proposed
347 development by safe, pedestrian-friendly means, such as
348 sidewalks, crosswalks, elevated pedestrian or bike paths, or

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349 other multimodal design features.

350 b. Has available parking within 600 feet of the proposed
351 development which may consist of options such as on-street
352 parking, parking lots, or parking garages available for use by
353 residents of the proposed development. However, a municipality
354 may not require that the available parking compensate for the
355 reduction in parking requirements.

356 3. A municipality must eliminate parking requirements for a
357 proposed mixed-use residential development authorized under this
358 subsection within an area recognized by the municipality as a
359 transit-oriented development or area, as provided in paragraph
360 (h).

361 4. For purposes of this paragraph, the term "major
362 transportation hub" means any transit station, whether bus,
363 train, or light rail, which is served by public transit with a
364 mix of other transportation options.

365 (g)~~(f)~~ A municipality that designates less than 20 percent
366 of the land area within its jurisdiction for commercial or
367 industrial use must authorize a proposed multifamily development
368 as provided in this subsection in areas zoned for commercial or
369 industrial use only if the proposed multifamily development is
370 mixed-use residential.

371 (h) A proposed development authorized under this subsection
372 which is located within a transit-oriented development or area,
373 as recognized by the municipality, must be mixed-use residential
374 and otherwise comply with requirements of the municipality's
375 regulations applicable to the transit-oriented development or
376 area except for use, height, density, floor area ratio, and
377 parking as provided in this subsection or as otherwise agreed to

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378 by the municipality and the applicant for the development.

379 (i) ~~(g)~~ Except as otherwise provided in this subsection, a
380 development authorized under this subsection must comply with
381 all applicable state and local laws and regulations.

382 (j)1. Nothing in this subsection precludes a municipality
383 from granting a bonus, variance, conditional use, or other
384 special exception to height, density, or floor area ratio in
385 addition to the height, density, and floor area ratio
386 requirements in this subsection.

387 2. Nothing in this subsection precludes a proposed
388 development authorized under this subsection from receiving a
389 bonus for density, height, or floor area ratio pursuant to an
390 ordinance or regulation of the jurisdiction where the proposed
391 development is located if the proposed development satisfies the
392 conditions to receive the bonus except for any condition which
393 conflicts with this subsection. If a proposed development
394 qualifies for such bonus, the bonus must be administratively
395 approved by the municipality and no further action by the
396 governing body of the municipality is required.

397 (k) ~~(h)~~ This subsection does not apply to:

398 1. Airport-impacted areas as provided in s. 333.03.

399 2. Property defined as recreational and commercial working
400 waterfront in s. 342.201(2) (b) in any area zoned as industrial.

401 (l) ~~(i)~~ This subsection expires October 1, 2033.

402 (8) Any development authorized under paragraph (7) (a) must
403 be treated as a conforming use even after the expiration of
404 subsection (7) and the development's affordability period as
405 provided in paragraph (7) (a), notwithstanding the municipality's
406 comprehensive plan, future land use designation, or zoning. If

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407 at any point during the development's affordability period the
408 development violates the affordability period requirement
409 provided in paragraph (7) (a), the development must be allowed a
410 reasonable time to cure such violation. If the violation is not
411 cured within a reasonable time, the development must be treated
412 as a nonconforming use.

413 Section 3. An applicant for a proposed development
414 authorized under s. 125.01055(7) or s. 166.04151(7), Florida
415 Statutes, who submitted an application, written request, or
416 notice of intent to utilize such provisions to the county or
417 municipality and which has been received by the county or
418 municipality, as applicable, before the effective date of this
419 act may notify the county or municipality by July 1, 2024, of
420 its intent to proceed under the provisions of s. 125.01055(7) or
421 s. 166.04151(7), Florida Statutes, as they existed at the time
422 of submittal. A county or municipality shall allow an applicant
423 who submitted such application, written request, or notice of
424 intent before the effective date of this act the opportunity to
425 submit a revised application, written request, or notice of
426 intent to account for the changes made by this act.

427 Section 4. Subsection (3) of section 196.1978, Florida
428 Statutes, is amended to read:

429 196.1978 Affordable housing property exemption.-

430 (3) (a) As used in this subsection, the term:

431 1. "Corporation" means the Florida Housing Finance
432 Corporation.

433 2. "Newly constructed" means an improvement to real
434 property which was substantially completed within 5 years before
435 the date of an applicant's first submission of a request for a

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436 certification notice ~~or an application for an exemption~~ pursuant
437 to this subsection ~~section, whichever is earlier.~~

438 3. "Substantially completed" has the same meaning as in s.
439 192.042(1).

440 (b) Notwithstanding ss. 196.195 and 196.196, portions of
441 property in a multifamily project are considered property used
442 for a charitable purpose and are eligible to receive an ad
443 valorem property tax exemption if such portions meet all of the
444 following conditions:

445 1. Provide affordable housing to natural persons or
446 families meeting the income limitations provided in paragraph
447 (d).~~†~~

448 2.a. Are within a newly constructed multifamily project
449 that contains more than 70 units dedicated to housing natural
450 persons or families meeting the income limitations provided in
451 paragraph (d); or

452 b. Are within a newly constructed multifamily project in an
453 area of critical state concern, as designated by s. 380.0552 or
454 chapter 28-36, Florida Administrative Code, which contains more
455 than 10 units dedicated to housing natural persons or families
456 meeting the income limitations provided in paragraph (d). ~~and~~

457 3. Are rented for an amount that does not exceed the amount
458 as specified by the most recent multifamily rental programs
459 income and rent limit chart posted by the corporation and
460 derived from the Multifamily Tax Subsidy Projects Income Limits
461 published by the United States Department of Housing and Urban
462 Development or 90 percent of the fair market value rent as
463 determined by a rental market study meeting the requirements of
464 paragraph (1) ~~(m)~~, whichever is less.

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465 (c) If a unit that in the previous year received ~~qualified~~
466 ~~for~~ the exemption under this subsection and was occupied by a
467 tenant is vacant on January 1, the vacant unit is eligible for
468 the exemption if the use of the unit is restricted to providing
469 affordable housing that would otherwise meet the requirements of
470 this subsection and a reasonable effort is made to lease the
471 unit to eligible persons or families.

472 (d)1. The property appraiser shall exempt:

473 a. Seventy-five percent of the assessed value of the units
474 in multifamily projects that meet the requirements of this
475 subsection and are ~~Qualified property~~ used to house natural
476 persons or families whose annual household income is greater
477 than 80 percent but not more than 120 percent of the median
478 annual adjusted gross income for households within the
479 metropolitan statistical area or, if not within a metropolitan
480 statistical area, within the county in which the person or
481 family resides; ~~and, must receive an ad valorem property tax~~
482 ~~exemption of 75 percent of the assessed value.~~

483 b.2. From ad valorem property taxes the units in
484 multifamily projects that meet the requirements of this
485 subsection and are ~~Qualified property~~ used to house natural
486 persons or families whose annual household income does not
487 exceed 80 percent of the median annual adjusted gross income for
488 households within the metropolitan statistical area or, if not
489 within a metropolitan statistical area, within the county in
490 which the person or family resides, ~~is exempt from ad valorem~~
491 ~~property taxes.~~

492 2. When determining the value of a unit for purposes of
493 applying an exemption pursuant to this paragraph, the property

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494 appraiser must include in such valuation the proportionate share
495 of the residential common areas, including the land, fairly
496 attributable to such unit.

497 (e) To be eligible to receive an exemption under this
498 subsection, a property owner must submit an application on a
499 form prescribed by the department by March 1 for the exemption,
500 accompanied by a certification notice from the corporation to
501 the property appraiser. The property appraiser shall review the
502 application and determine whether the applicant meets all of the
503 requirements of this subsection and is entitled to an exemption.

504 A property appraiser may request and review additional
505 information necessary to make such determination. A property
506 appraiser may grant an exemption only for a property for which
507 the corporation has issued a certification notice and which the
508 property appraiser determines is entitled to an exemption.

509 (f) To receive a certification notice, a property owner
510 must submit a request to the corporation ~~for certification~~ on a
511 form provided by the corporation which includes all of the
512 following:

513 1. The most recently completed rental market study meeting
514 the requirements of paragraph (1) ~~(m)~~.

515 2. A list of the units for which the property owner seeks
516 an exemption.

517 3. The rent amount received by the property owner for each
518 unit for which the property owner seeks an exemption. If a unit
519 is vacant and qualifies for an exemption under paragraph (c),
520 the property owner must provide evidence of the published rent
521 amount for each vacant unit.

522 4. A sworn statement, under penalty of perjury, from the

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523 applicant restricting the property for a period of not less than
524 3 years to housing persons or families who meet the income
525 limitations under this subsection.

526 (g) The corporation shall review the request for a
527 certification notice and certify whether a property ~~that~~ meets
528 the ~~eligibility~~ criteria of paragraphs (b) and (c) ~~this~~
529 ~~subsection~~. A determination by the corporation regarding a
530 request for a certification notice does not constitute a grant
531 of an exemption pursuant to this subsection or final agency
532 action pursuant to chapter 120.

533 1. If the corporation determines that the property meets
534 the ~~eligibility~~ criteria ~~for an exemption under this subsection,~~
535 the corporation must send a certification notice to the property
536 owner and the property appraiser.

537 2. If the corporation determines that the property does not
538 meet the ~~eligibility~~ criteria, the corporation must notify the
539 property owner and include the reasons for such determination.

540 (h) The corporation shall post on its website the deadline
541 to submit a request for a certification notice. The deadline
542 must allow adequate time for a property owner to submit a timely
543 application for exemption to the property appraiser.

544 ~~(i) The property appraiser shall review the application and~~
545 ~~determine if the applicant is entitled to an exemption. A~~
546 ~~property appraiser may grant an exemption only for a property~~
547 ~~for which the corporation has issued a certification notice.~~

548 ~~(j)~~ If the property appraiser determines that for any year
549 during the immediately previous 10 years a person who was not
550 entitled to an exemption under this subsection was granted such
551 an exemption, the property appraiser must serve upon the owner a

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552 notice of intent to record in the public records of the county a
553 notice of tax lien against any property owned by that person in
554 the county, and that property must be identified in the notice
555 of tax lien. Any property owned by the taxpayer and situated in
556 this state is subject to the taxes exempted by the improper
557 exemption, plus a penalty of 50 percent of the unpaid taxes for
558 each year and interest at a rate of 15 percent per annum. If an
559 exemption is improperly granted as a result of a clerical
560 mistake or an omission by the property appraiser, the property
561 owner improperly receiving the exemption may not be assessed a
562 penalty or interest.

563 (j)~~(k)~~ Units subject to an agreement with the corporation
564 pursuant to chapter 420 recorded in the official records of the
565 county in which the property is located to provide housing to
566 natural persons or families meeting the extremely-low-income,
567 very-low-income, or low-income limits specified in s. 420.0004
568 are not eligible for this exemption.

569 (k)~~(l)~~ Property receiving an exemption pursuant to s.
570 196.1979 or units used as a transient public lodging
571 establishment as defined in s. 509.013 ~~is~~ not eligible for
572 this exemption.

573 (l)~~(m)~~ A rental market study submitted as required by
574 subparagraph (f)1. paragraph (f) must identify the fair market
575 value rent of each unit for which a property owner seeks an
576 exemption. Only a certified general appraiser as defined in s.
577 475.611 may issue a rental market study. The certified general
578 appraiser must be independent of the property owner who requests
579 the rental market study. In preparing the rental market study, a
580 certified general appraiser shall comply with the standards of

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581 professional practice pursuant to part II of chapter 475 and use
582 comparable property within the same geographic area and of the
583 same type as the property for which the exemption is sought. A
584 rental market study must have been completed within 3 years
585 before submission of the application.

586 (m) ~~(n)~~ The corporation may adopt rules to implement this
587 section.

588 (n) ~~(o)~~ This subsection first applies to the 2024 tax roll
589 and is repealed December 31, 2059.

590 Section 5. Present subsections (6) and (7) of section
591 196.1979, Florida Statutes, are redesignated as subsections (8)
592 and (9), respectively, new subsections (6) and (7) are added to
593 that section, and paragraph (b) of subsection (1), subsection
594 (2), paragraphs (d), (f), and (1) of subsection (3), and
595 subsection (5) of that section are amended, to read:

596 196.1979 County and municipal affordable housing property
597 exemption.—

598 (1)

599 (b) Qualified property may receive an ad valorem property
600 tax exemption of:

601 1. Up to 75 percent of the assessed value of each
602 residential unit used to provide affordable housing if fewer
603 than 100 percent of the multifamily project's residential units
604 are used to provide affordable housing meeting the requirements
605 of this section.

606 2. Up to 100 percent of the assessed value of each
607 residential unit used to provide affordable housing if 100
608 percent of the multifamily project's residential units are used
609 to provide affordable housing meeting the requirements of this

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610 section.

611 (2) If a residential unit that in the previous year
612 received ~~qualified for~~ the exemption under this section and was
613 occupied by a tenant is vacant on January 1, the vacant unit may
614 qualify for the exemption under this section if the use of the
615 unit is restricted to providing affordable housing that would
616 otherwise meet the requirements of this section and a reasonable
617 effort is made to lease the unit to eligible persons or
618 families.

619 (3) An ordinance granting the exemption authorized by this
620 section must:

621 (d) Require the local entity to verify and certify property
622 that meets the requirements of the ordinance as qualified
623 property and forward the certification to the property owner and
624 the property appraiser. If the local entity denies the
625 application for certification ~~exemption~~, it must notify the
626 applicant and include reasons for the denial.

627 (f) Require the property owner to submit an application for
628 exemption, on a form prescribed by the department, accompanied
629 by the certification of qualified property, to the property
630 appraiser no later than the deadline specified in s. 196.011
631 ~~March 1~~.

632 (1) Require the county or municipality to post on its
633 website a list of ~~certified~~ properties receiving the exemption
634 for the purpose of facilitating access to affordable housing.

635 (5) An ordinance adopted under this section must expire
636 before the fourth January 1 after adoption; however, the board
637 of county commissioners or the governing body of the
638 municipality may adopt a new ordinance to renew the exemption.

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639 The board of county commissioners or the governing body of the
640 municipality shall deliver a copy of an ordinance adopted under
641 this section to the department and the property appraiser within
642 10 days after its adoption, but no later than January 1 of the
643 year such exemption will take effect. If the ordinance expires
644 or is repealed, the board of county commissioners or the
645 governing body of the municipality must notify the department
646 and the property appraiser within 10 days after its expiration
647 or repeal, but no later than January 1 of the year the repeal or
648 expiration of such exemption will take effect.

649 (6) The property appraiser shall review each application
650 for exemption and determine whether the applicant meets all of
651 the requirements of this section and is entitled to an
652 exemption. A property appraiser may request and review
653 additional information necessary to make such determination. A
654 property appraiser may grant an exemption only for a property
655 for which the local entity has certified as qualified property
656 and which the property appraiser determines is entitled to an
657 exemption.

658 (7) When determining the value of a unit for purposes of
659 applying an exemption pursuant to this section, the property
660 appraiser must include in such valuation the proportionate share
661 of the residential common areas, including the land, fairly
662 attributable to such unit.

663 Section 6. The amendments made by this act to ss. 196.1978
664 and 196.1979, Florida Statutes, are intended to be remedial and
665 clarifying in nature and apply retroactively to January 1, 2024.

666 Section 7. Present subsection (5) of section 333.03,
667 Florida Statutes, is redesignated as subsection (6), and a new

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668 subsection (5) is added to that section, to read:

669 333.03 Requirement to adopt airport zoning regulations.—

670 (5) Sections 125.01055(7) and 166.04151(7) do not apply to
671 any of the following:

672 (a) A proposed development near a runway within one-quarter
673 of a mile laterally from the runway edge and within an area that
674 is the width of one-quarter of a mile extending at right angles
675 from the end of the runway for a distance of 10,000 feet of any
676 existing airport runway or planned airport runway identified in
677 the local government's airport master plan.

678 (b) A proposed development within any airport noise zone
679 identified in the federal land use compatibility table or in a
680 land-use zoning or airport noise regulation adopted by the local
681 government.

682 (c) A proposed development that exceeds maximum height
683 restrictions identified in the political subdivision's airport
684 zoning regulation adopted pursuant to this section.

685 Section 8. Subsection (35) of section 420.507, Florida
686 Statutes, is amended to read:

687 420.507 Powers of the corporation.—The corporation shall
688 have all the powers necessary or convenient to carry out and
689 effectuate the purposes and provisions of this part, including
690 the following powers which are in addition to all other powers
691 granted by other provisions of this part:

692 (35) To preclude any applicant, sponsor, or affiliate of an
693 applicant or sponsor from further participation in any of the
694 corporation's programs as provided in s. 420.518, ~~any applicant~~
695 ~~or affiliate of an applicant which has made a material~~
696 ~~misrepresentation or engaged in fraudulent actions in connection~~

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697 ~~with any application for a corporation program.~~

698 Section 9. Subsection (3) of section 420.5096, Florida
699 Statutes, is amended to read:

700 420.5096 Florida Hometown Hero Program.—

701 (3) For loans made available pursuant to s.
702 420.507(23)(a)1. or 2., the corporation may underwrite and make
703 those mortgage loans through the program to persons or families
704 who have household incomes that do not exceed 150 percent of the
705 state median income or local median income, whichever is
706 greater. A borrower must be seeking to purchase a home as a
707 primary residence; must be a first-time homebuyer and a Florida
708 resident; and must be employed full-time by a Florida-based
709 employer. The borrower must provide documentation of full-time
710 employment, or full-time status for self-employed individuals,
711 ~~of 35 hours or more per week.~~ The requirement to be a first-time
712 homebuyer does not apply to a borrower who is an active duty
713 servicemember of a branch of the armed forces or the Florida
714 National Guard, as defined in s. 250.01, or a veteran.

715 Section 10. Section 420.518, Florida Statutes, is amended
716 to read:

717 420.518 Preclusion from participation in corporation
718 programs ~~Fraudulent or material misrepresentation.~~—

719 (1) An applicant, a sponsor, or an affiliate of an
720 applicant or a sponsor may be precluded from participation in
721 any corporation program if the applicant or affiliate of the
722 applicant has:

723 (a) Made a material misrepresentation or engaged in
724 fraudulent actions in connection with any corporation program.

725 (b) Been convicted or found guilty of, or entered a plea of

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726 guilty or nolo contendere to, regardless of adjudication, a
727 crime in any jurisdiction which directly relates to the
728 financing, construction, or management of affordable housing or
729 the fraudulent procurement of state or federal funds. The record
730 of a conviction certified or authenticated in such form as to be
731 admissible in evidence under the laws of the state shall be
732 admissible as prima facie evidence of such guilt.

733 (c) Been excluded from any federal funding program related
734 to the provision of housing, including debarment from
735 participation in federal housing programs by the United States
736 Department of Housing and Urban Development.

737 (d) Been excluded from any federal or Florida procurement
738 programs.

739 (e) Offered or given consideration, other than the
740 consideration to provide affordable housing, with respect to a
741 local contribution.

742 (f) Demonstrated a pattern of noncompliance and a failure
743 to correct any such noncompliance after notice from the
744 corporation in the construction, operation, or management of one
745 or more developments funded through a corporation program.

746 (g) Materially or repeatedly violated any condition imposed
747 by the corporation in connection with the administration of a
748 corporation program, including a land use restriction agreement,
749 an extended use agreement, or any other financing or regulatory
750 agreement with the corporation.

751 (2) Upon a determination by the board of directors of the
752 corporation that an applicant or affiliate of the applicant be
753 precluded from participation in any corporation program, the
754 board may issue an order taking any or all of the following

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755 actions:

756 (a) Preclude such applicant or affiliate from applying for
757 funding from any corporation program for a specified period. The
758 period may be a specified period of time or permanent in nature.
759 With regard to establishing the duration, the board shall
760 consider the facts and circumstances, inclusive of the
761 compliance history of the applicant or affiliate of the
762 applicant, the type of action under subsection (1), and the
763 degree of harm to the corporation's programs that has been or
764 may be done.

765 (b) Revoke any funding previously awarded by the
766 corporation for any development for which construction or
767 rehabilitation has not commenced.

768 (3) Before any order issued under this section can be
769 final, an administrative complaint must be served on the
770 applicant, affiliate of the applicant, or its registered agent
771 that provides notification of findings of the board, the
772 intended action, and the opportunity to request a proceeding
773 pursuant to ss. 120.569 and 120.57.

774 (4) Any funding, allocation of federal housing credits,
775 credit underwriting procedures, or application review for any
776 development for which construction or rehabilitation has not
777 commenced may be suspended by the corporation upon the service
778 of an administrative complaint on the applicant, affiliate of
779 the applicant, or its registered agent. The suspension shall be
780 effective from the date the administrative complaint is served
781 until an order issued by the corporation in regard to that
782 complaint becomes final.

783 Section 11. For the 2024-2025 fiscal year, from the funds

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784 received and deposited into the General Revenue Fund from the
785 state's allocation from the federal Coronavirus State Fiscal
786 Recovery Fund created under the American Rescue Plan Act of
787 2021, Pub. L. No. 117-2, the sum of \$100 million in nonrecurring
788 funds is appropriated to the State Housing Trust Fund for use by
789 the Florida Housing Finance Corporation to implement the Florida
790 Hometown Hero Program established in s. 420.5096, Florida
791 Statutes.

792 Section 12. This act shall take effect upon becoming a law.