

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-684-E**

5 AN ORDINANCE ADOPTING A LARGE-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2030
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM AGRICULTURE-III (AGR-III) TO
9 LOW DENSITY RESIDENTIAL (LDR) ON APPROXIMATELY
10 481.92± ACRES IN COUNCIL DISTRICT 8 AT 9412
11 FEAGLES FARM ROAD, 9431 FEAGLES FARM ROAD AND
12 6101 JONES ROAD, BETWEEN GARDEN STREET AND
13 PRITCHARD ROAD, OWNED BY LISA ANN FEAGLE, LORI
14 FEAGLE PUTMAN, BENNY E. REED AND REBA REED, AS
15 MORE PARTICULARLY DESCRIBED HEREIN, INCLUDING A
16 REVISION TO THE DEVELOPMENT AREAS MAP, PURSUANT
17 TO APPLICATION NUMBER L-5497-20A; PROVIDING A
18 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
19 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
20 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
21 DATE.
22

23 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
24 *Ordinance Code*, an application for a proposed Large-Scale Amendment
25 to the Future Land Use Map series (FLUMs) of the *2030 Comprehensive*
26 *Plan* to change the Future Land Use designation from Agriculture-III
27 (AGR-III) to Low Density Residential (LDR), has been filed by Paul
28 Harden, Esq., on behalf of Lisa Ann Feagle, Lori Feagle Putman, Benny
29 E. Reed and Reba Reed, the owners of certain real property located
30 in Council District 8, as more particularly described in Section 2;
31 and

1 **WHEREAS**, the City, by the adoption of Ordinance 2021-98-E,
2 approved this Large-Scale Amendment to the *2030 Comprehensive Plan*
3 for transmittal to the Department of Economic Opportunity (DEO), as
4 the State Land Planning Agency, and other required state agencies,
5 for review and comment; and

6 **WHEREAS**, by various letters and e-mails, the DEO and other state
7 reviewing agencies transmitted their comments, if any, regarding this
8 proposed amendment; and

9 **WHEREAS**, the Planning and Development Department reviewed the
10 proposed revision and application, considered all comments received,
11 prepared a written report, and rendered an advisory recommendation
12 to the Council with respect to this proposed amendment; and

13 **WHEREAS**, the Planning Commission, acting as the Local Planning
14 Agency (LPA), held a public hearing on this proposed amendment, with
15 due public notice having been provided, and having reviewed and
16 considered all comments during the public hearing, made its
17 recommendation to the City Council; and

18 **WHEREAS**, pursuant to Section 650.408, *Ordinance Code*, the Land
19 Use and Zoning (LUZ) Committee held a public hearing on this proposed
20 amendment, and made its recommendation to the City Council; and

21 **WHEREAS**, pursuant to Section 163.3184(3), *Florida Statutes*, and
22 Chapter 650, Part 4, *Ordinance Code*, the City Council held a public
23 hearing with public notice having been provided on this proposed
24 amendment to the *2030 Comprehensive Plan*; and

25 **WHEREAS**, the City Council further considered all oral and
26 written comments received during public hearings, including the data
27 and analysis portions of this proposed amendment to the *2030*
28 *Comprehensive Plan*, the recommendations of the Planning and
29 Development Department, the LPA, the LUZ Committee and the comments,
30 if any, of the DEO and the other state reviewing agencies; and

31 **WHEREAS**, in the exercise of its authority, the City Council has

1 determined it necessary and desirable to adopt this proposed amendment
2 to the *2030 Comprehensive Plan* to preserve and enhance present
3 advantages, encourage the most appropriate use of land, water, and
4 resources consistent with the public interest, overcome present
5 deficiencies, and deal effectively with future problems which may
6 result from the use and development of land within the City of
7 Jacksonville; now, therefore

8 **BE IT ORDAINED** by the Council of the City of Jacksonville:

9 **Section 1. Purpose and Intent.** This Ordinance is adopted
10 to carry out the purpose and intent of, and exercise the authority
11 set out in, the Community Planning Act, Sections 163.3161 through
12 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
13 amended.

14 **Section 2. Subject Property Location and Description.** The
15 approximately 481.92± acres are in Council District 8 at 9412 Feagles
16 Farm Road, 9431 Feagles Farm Road and 6101 Jones Road, between Garden
17 Street and Pritchard Road, as more particularly described in **Exhibit**
18 **1**, dated July 20, 2021, and graphically depicted in **Exhibit 2**, both
19 of which are **attached hereto** and incorporated herein by this reference
20 (the "Subject Property").

21 **Section 3. Owner and Applicant Description.** The Subject
22 Property is owned by Lisa Ann Feagle, Lori Feagle Putman, Benny E.
23 Reed and Reba Reed. The applicant is Paul Harden, Esq., 1431
24 Riverplace Blvd, Suite 901, Jacksonville, Florida 32207; (904) 396-
25 5731.

26 **Section 4. Adoption of Large-Scale Land Use Amendment.** The
27 City Council hereby adopts a proposed Large-Scale revision to the
28 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
29 the Future Land Use Map designation from Agriculture-III (AGR-III)
30 to Low Density Residential (LDR), pursuant to Application Number L-
31 5497-20A.

1 **Section 5. Development Areas Map.** The Council hereby
2 adopts a proposed revision to the Development Areas Map adopted as
3 Future Land Use Element Map L-21, Transportation Element Map T-4 and
4 Capital Improvements Element Map CI-1 of the *2030 Comprehensive Plan*,
5 as depicted in **Exhibit 3, attached hereto.**

6 **Section 6. Applicability, Effect and Legal Status.** The
7 applicability and effect of the *2030 Comprehensive Plan*, as herein
8 amended, shall be as provided in the Community Planning Act, Section
9 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
10 development undertaken by, and all actions taken in regard to
11 development orders by governmental agencies in regard to land which
12 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
13 be consistent therewith as of the effective date of this amendment
14 to the plan.

15 **Section 7. Effective Date of this Plan Amendment.** Unless
16 this plan amendment is timely challenged under the procedures set
17 forth in Section 163.3184(3), *Florida Statutes*, this plan amendment
18 shall be effective thirty-one days after DEO notifies the City of
19 Jacksonville that the plan amendment or plan amendment package is
20 complete. If this plan amendment is timely challenged under Section
21 163.3184(3), *Florida Statutes*, this plan amendment shall become
22 effective when the DEO or the Administration Commission enters a
23 final order determining the adopted amendment to be in compliance.
24 If this plan amendment is found not to be in compliance under the
25 standards and procedures set forth in Chapter 163, Part II, *Florida*
26 *Statutes*, then this plan amendment shall become effective only by
27 further action by the City Council. No development orders, development
28 permits, or land uses dependent on this amendment may be issued or
29 commence before it has become effective.

30 **Section 8. Disclaimer.** The amendment granted herein shall
31 **not** be construed as an exemption from any other applicable local,

1 state, or federal laws, regulations, requirements, permits or
2 approvals. All other applicable local, state or federal permits or
3 approvals shall be obtained before commencement of the development
4 or use and issuance of this amendment is based upon acknowledgement,
5 representation and confirmation made by the applicant(s), owner(s),
6 developer(s) and/or any authorized agent(s) or designee(s) that the
7 subject business, development and/or use will be operated in strict
8 compliance with all laws. Issuance of this amendment does **not** approve,
9 promote or condone any practice or act that is prohibited or
10 restricted by any federal, state or local laws.

11 **Section 9. Effective Date.** This Ordinance shall become
12 effective upon signature by the Mayor or upon becoming effective
13 without the Mayor's signature.

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15 Form Approved:

16
17 /s/ Mary E. Staffopoulos

18 Office of General Counsel

19 Legislation Prepared By: Krista Fogarty

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