

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-277-E**

5 AN ORDINANCE REZONING APPROXIMATELY 3270.17±
6 ACRES IN COUNCIL DISTRICT 12, GENERALLY LOCATED
7 NORTH AND SOUTH OF NORMANDY BOULEVARD, AND OFF
8 OF MCCLELLAND ROAD, AND OFF OF SOLOMON ROAD,
9 OWNED BY DIAMOND TIMBER INVESTMENTS, LLC, TIMBER
10 FOREST TRAIL INVESTMENTS, LLC, LONGLEAF TIMBER
11 COMPANY, INC., VCP-REAL ESTATE INVESTMENTS,
12 LTD., AND NORMANDY MITIGATION, LLC, ET AL., AS
13 DESCRIBED HEREIN, FROM PLANNED UNIT DEVELOPMENT-
14 SATELLITE COMMUNITY (PUD-SC) DISTRICT (2004-
15 318-E), AGRICULTURE (AGR) DISTRICT, RESIDENTIAL
16 RURAL-ACRE (RR-ACRE) DISTRICT AND PLANNED UNIT
17 DEVELOPMENT (PUD) DISTRICT (2006-774-E AND 2007-
18 363-E) TO AGRICULTURE (AGR) DISTRICT,
19 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT AND
20 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
21 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
22 PERMIT AGRICULTURE, RESIDENTIAL, AND MIXED USE
23 DEVELOPMENT, AS DESCRIBED IN THE TRAILS PLANNED
24 COMMUNITY PUD (PUD PORTION), PURSUANT TO FUTURE
25 LAND USE MAP SERIES (FLUMS) LARGE-SCALE
26 AMENDMENT APPLICATION L-5441-20A; PUD SUBJECT TO
27 CONDITIONS; ADOPTING A SIGN POSTING PLAN
28 PURSUANT TO SECTION 656.126, *ORDINANCE CODE*,
29 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
30 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
31 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN

1 EFFECTIVE DATE.

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3 **WHEREAS**, the City of Jacksonville adopted a Large-Scale
4 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
5 portions of the Future Land Use Map series (FLUMs) in order to ensure
6 the accuracy and internal consistency of the plan, pursuant to
7 application L-5441-20A and companion land use Ordinance 2021-276; and

8 **WHEREAS**, in order to ensure consistency of zoning district with
9 the *2030 Comprehensive Plan* and the adopted companion Large-Scale
10 Amendment L-5441-20A, an application to rezone and reclassify the
11 Subject Property as described herein, was filed by Steve Diebenow,
12 Esq., on behalf of the owners of approximately 3270.17± acres of
13 certain real property in Council District 12, as more particularly
14 described in Section 1; and

15 **WHEREAS**, the Planning and Development Department, in order to
16 ensure consistency of this zoning district with the *2030 Comprehensive*
17 *Plan*, has considered the rezoning and has rendered an advisory
18 opinion; and

19 **WHEREAS**, the Planning Commission has considered the application
20 and has rendered an advisory opinion; and

21 **WHEREAS**, the Land Use and Zoning (LUZ) Committee after due notice
22 held a public hearing and made its recommendation to the Council; and

23 **WHEREAS**, the City Council after due notice held a public hearing,
24 taking into consideration the above recommendations as well as all
25 oral and written comments received during the public hearings, the
26 Council finds that such rezoning is consistent with the *2030*
27 *Comprehensive Plan* adopted under the comprehensive planning ordinance
28 for future development of the City of Jacksonville; and

29 **WHEREAS**, the Council finds that the proposed PUD does not affect
30 adversely the orderly development of the City as embodied in the
31 *Zoning Code*; will not affect adversely the health and safety of

1 residents in the area; will not be detrimental to the natural
2 environment or to the use or development of the adjacent properties
3 in the general neighborhood; and the proposed PUD will accomplish the
4 objectives and meet the standards of Section 656.340 (Planned Unit
5 Development) of the *Zoning Code* of the City of Jacksonville; now,
6 therefore

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

8 **Section 1. Subject Property Location and Description.** The
9 approximately 3270.17± acres are in Council District 12, generally
10 located north and south of Normandy Boulevard, and off of McClelland
11 Road, and off of Solomon Road, as more particularly described in
12 **Exhibit 1**, dated December 17, 2020, **attached hereto** and incorporated
13 herein by this reference (Subject Property).

14 **Section 2. Owner and Applicant Description.** The Subject
15 Property is owned by Diamond Timber Investments, LLC, Timber Forest
16 Trail Investments, LLC, Longleaf Timber Company, Inc., VCP-Real
17 Estate Investments, Ltd., and Normandy Mitigation, LLC, et al., as
18 further described in the application on file in the Planning and
19 Development Department. The applicant is Steve Diebenow, Esq., One
20 Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904)
21 301-1269.

22 **Section 3. Property Rezoned.** The Subject Property,
23 pursuant to adopted companion Large-Scale Amendment L-5441-20A, is
24 hereby rezoned and reclassified from Planned Unit Development-
25 Satellite Community (PUD-SC) District (2004-318-E), Agriculture (AGR)
26 District, Residential Rural-Acre (RR-ACRE) District and Planned Unit
27 Development (PUD) District (2006-774-E and 2007-363-E) to Agriculture
28 (AGR) District, Residential Rural-Acre (RR-ACRE) District, and
29 Planned Unit Development (PUD) District. This new PUD district shall
30 generally permit mixed use development, and is described, shown and
31 subject to the following documents, **attached hereto**:

1 **Exhibit 1** - Legal Description dated December 17, 2020 (PUD Portion).

2 **Revised Exhibit 2** - Revised Subject Property per P&DD (PUD Portion).

3 **Exhibit 3** - Written Description dated April 9, 2021.

4 **Revised Exhibit 4** - Revised Site Plan dated June 15, 2021.

5 **Revised Exhibit 5** - PUD Conditions dated June 15, 2021.

6 **Section 4. Rezoning Approved Subject to Conditions.** This
7 rezoning is approved subject to the following conditions. Such
8 conditions control over the Written Description and the Site Plan and
9 may only be amended through a rezoning.

10 (1) The Trails Planned Community PUD is subject to the
11 conditions set forth in **Revised Exhibit 5**, dated June 15, 2021, and
12 **attached hereto**. As stated above, these conditions control over the
13 Written Description and the Site Plan and may only be amended through
14 a rezoning. These conditions are incorporated herein by reference,
15 as if fully set out in the body of this Ordinance.

16 **Section 5. Adopting Sign Posting Plan Pursuant to Section**
17 **656.126, Ordinance Code.** Pursuant to Section 656.126, *Ordinance*
18 *Code*, the City Council hereby adopts the Sign Posting Plan **attached**
19 **hereto** as **Exhibit 6**, and finds that the mailed letters and notices,
20 and the Sign Posting Plan, have provided notice to all affected
21 property owners in compliance with all state and local laws and
22 regulations.

23 **Section 6. Contingency.** This rezoning shall not become
24 effective until 31 days after adoption of the companion Large-Scale
25 Amendment unless challenged by the state land planning agency; and
26 further provided that if the companion Large-Scale Amendment is
27 challenged by the state land planning agency, this rezoning shall not
28 become effective until the state land planning agency or the
29 Administration Commission issues a final order determining the
30 companion Large-Scale Amendment is in compliance with Chapter 163,
31 *Florida Statutes*.

