

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-517**

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 COMMUNITY/GENERAL
9 COMMERCIAL (CGC) TO HIGH DENSITY RESIDENTIAL
10 (HDR) ON APPROXIMATELY 42.55± ACRES IN COUNCIL
11 DISTRICT 11 AT 0 J TURNER BUTLER BOULEVARD,
12 BETWEEN J TURNER BUTLER BOULEVARD AND A.C.
13 SKINNER PARKWAY, OWNED BY JACKSONVILLE
14 TRANSPORTATION AUTHORITY, AS MORE PARTICULARLY
15 DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER
16 L-5443-20A; PROVIDING A DISCLAIMER THAT THE
17 AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED
18 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
22 *Ordinance Code*, an application for a proposed Large-Scale Amendment
23 to the Future Land Use Map series (FLUMs) of the *2030 Comprehensive*
24 *Plan* to change the Future Land Use designation from Community/General
25 Commercial (CGC) to High Density Residential (HDR), has been filed
26 by Paul Harden, Esq., on behalf of Jacksonville Transportation
27 Authority, the owner of certain real property located in Council
28 District 11, as more particularly described in Section 2; and

29 **WHEREAS**, the City, by the adoption of Ordinance 2020-468-E,
30 approved this Large-Scale Amendment to the *2030 Comprehensive Plan*

1 for transmittal to the Department of Economic Opportunity (DEO), as
2 the State Land Planning Agency, and other required state agencies,
3 for review and comment, and the adoption deadline set by Section
4 163.3184(3), *Florida Statutes*, has been extended, with required
5 notice to DEO, other required state agencies, and any affected person
6 who provided comments on this Large-Scale Amendment; and

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

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

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

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

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

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

1 if any, of the DEO and the other state reviewing agencies; and

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

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

11 **Section 1. Purpose and Intent.** This Ordinance is adopted
12 to carry out the purpose and intent of, and to exercise the authority
13 set out in, the Community Planning Act, Sections 163.3161 through
14 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
15 amended.

16 **Section 2. Subject Property Location and Description.** The
17 approximately 42.55± acres are in Council District 11 at 0 J Turner
18 Butler Boulevard, between J Turner Butler Boulevard and A.C. Skinner
19 Parkway, as more particularly described in **Exhibit 1**, dated April 3,
20 2020, and graphically depicted in **Exhibit 2**, both of which are
21 **attached hereto** and incorporated herein by this reference (the
22 "Subject Property").

23 **Section 3. Owner and Applicant Description.** The Subject
24 Property is owned by Jacksonville Transportation Authority. The
25 applicant is Paul Harden, Esq., 501 Riverside Avenue, Suite 901,
26 Jacksonville, Florida 32202; (904) 396-5731.

27 **Section 4. Adoption of Large-Scale Land Use Amendment.** The
28 City Council hereby adopts a proposed Large-Scale revision to the
29 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
30 the Future Land Use Map designation from Community/General Commercial

1 (CGC) to High Density Residential (HDR), pursuant to Application
2 Number L-5443-20A.

3 **Section 5. Applicability, Effect and Legal Status.** The
4 applicability and effect of the *2030 Comprehensive Plan*, as herein
5 amended, shall be as provided in the Community Planning Act, Section
6 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
7 development undertaken by, and all actions taken in regard to
8 development orders by governmental agencies in regard to land which
9 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
10 be consistent therewith as of the effective date of this amendment
11 to the plan.

12 **Section 6. Effective Date of this Plan Amendment.** Unless
13 this plan amendment is timely challenged under the procedures set
14 forth in Section 163.3184(3), *Florida Statutes*, this plan amendment
15 shall be effective thirty-one days after DEO notifies the City of
16 Jacksonville that the plan amendment or plan amendment package is
17 complete. If this plan amendment is timely challenged under Section
18 163.3184(3), *Florida Statutes*, this plan amendment shall become
19 effective when the DEO or the Administration Commission enters a
20 final order determining the adopted amendment to be in compliance.
21 If this plan amendment is found not to be in compliance under the
22 standards and procedures set forth in Chapter 163, Part II, *Florida*
23 *Statutes*, then this plan amendment shall become effective only by
24 further action by the City Council. No development orders,
25 development permits, or land uses dependent on this amendment may be
26 issued or commence before it has become effective.

27 **Section 7. Disclaimer.** The amendment granted herein shall
28 not be construed as an exemption from any other applicable local,
29 state, or federal laws, regulations, requirements, permits or
30 approvals. All other applicable local, state or federal permits or

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

9 **Section 8. Effective Date.** This Ordinance shall become
10 effective upon signature by the Mayor or upon becoming effective
11 without the Mayor's signature.

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13 Form Approved:

14
15 /s/ Mary E. Staffopoulos

16 Office of General Counsel

17 Legislation Prepared By: Kristen Reed

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