

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-227-E**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2045
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM RURAL RESIDENTIAL (RR) TO
9 LOW DENSITY RESIDENTIAL (LDR) ON APPROXIMATELY
10 47.00± ACRES LOCATED IN COUNCIL DISTRICT 2 AT
11 1941, 1955, 1981, 1984, 2005, 2012, 2032, 2033,
12 2049, 2110, 2123 AND 2128 ED JOHNSON DRIVE, 0
13 YELLOW BLUFF ROAD, 15719 YELLOW BLUFF ROAD, AND
14 1530 JAKE ROAD, BETWEEN YELLOW BLUFF ROAD AND
15 LAKE ROAD (R.E. NOS. 106151-0011, 106151-0035,
16 106151-0018, 106151-0016, 106151-0015, 106151-
17 0025, 106151-0013, 106151-0080, 106151-0012,
18 106151-0022, 106151-0000 (PORTION), 106151-0014,
19 106154-0030, 106154-0020, AND 106151-0061),
20 OWNED BY DONALDSON INVESTMENTS, LLC, AS MORE
21 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
22 APPLICATION NUMBER L-5799-23C; PROVIDING A
23 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
24 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
25 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
26 DATE.

27
28 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
29 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
30 application for a proposed Small-Scale Amendment to the Future Land
31 Use Map series (FLUMs) of the *2045 Comprehensive Plan* to change the

1 Future Land Use designation from Rural Residential (RR) to Low Density
2 Residential (LDR) on 47.00± acres of certain real property in Council
3 District 2 was filed by Cyndy Trimmer, Esq., on behalf of the owner,
4 Donaldson Investments, LLC; and

5 **WHEREAS**, the Planning and Development Department reviewed the
6 proposed revision and application and has prepared a written report
7 and rendered an advisory recommendation to the City Council with
8 respect to the proposed amendment; and

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

14 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
15 Council held a public hearing on this proposed amendment to the *2045*
16 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
17 considered all written and oral comments received during the public
18 hearing, and has made its recommendation to the City Council; and

19 **WHEREAS**, the City Council held a public hearing on this proposed
20 amendment, with public notice having been provided, pursuant to
21 Section 163.3187, *Florida Statutes* and Chapter 650, Part 4, *Ordinance*
22 *Code*, and considered all oral and written comments received during
23 public hearings, including the data and analysis portions of this
24 proposed amendment to the *2045 Comprehensive Plan* and the
25 recommendations of the Planning and Development Department, the
26 Planning Commission and the LUZ Committee; and

27 **WHEREAS**, in the exercise of its authority, the City Council has
28 determined it necessary and desirable to adopt this proposed amendment
29 to the *2045 Comprehensive Plan* to preserve and enhance present
30 advantages, encourage the most appropriate use of land, water, and
31 resources consistent with the public interest, overcome present

1 deficiencies, and deal effectively with future problems which may
2 result from the use and development of land within the City of
3 Jacksonville; now, therefore

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

5 **Section 1. Purpose and Intent.** This Ordinance is adopted
6 to carry out the purpose and intent of, and exercise the authority
7 set out in, the Community Planning Act, Sections 163.3161 through
8 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
9 amended.

10 **Section 2. Subject Property Location and Description.** The
11 approximately 47.00± acres are located in Council District 2 at 1941,
12 1955, 1981, 1984, 2005, 2012, 2032, 2033, 2049, 2110, 2123 and 2128
13 Ed Johnson Drive, 0 Yellow Bluff Road, 15719 Yellow Bluff Road, and
14 1530 Jake Road, between Yellow Bluff Road and Lake Road (R.E. Nos.
15 106151-0011, 106151-0035, 106151-0018, 106151-0016, 106151-0015,
16 106151-0025, 106151-0013, 106151-0080, 106151-0012, 106151-0022,
17 106151-0000 (portion), 106151-0014, 106154-0030, 106154-0020, and
18 106151-0061), as more particularly described in **Exhibit 1**, dated
19 January 20, 2023, and graphically depicted in **Exhibit 2**, both attached
20 hereto and incorporated herein by this reference (the "Subject
21 Property").

22 **Section 3. Owner and Applicant Description.** The Subject
23 Property is owned by Donaldson Investments, LLC. The applicant is
24 Cyndy Trimmer, Esq., 1 Independent Drive, Suite 1200, Jacksonville,
25 Florida 32202; (904) 807-0185.

26 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
27 City Council hereby adopts a proposed Small-Scale revision to the
28 Future Land Use Map series of the *2045 Comprehensive Plan* by changing
29 the Future Land Use Map designation of the Subject Property from
30 Rural Residential (RR) to Low Density Residential (LDR), pursuant to
31 Application Number L-5799-23C.

1 **Section 5. Applicability, Effect and Legal Status.** The
2 applicability and effect of the *2045 Comprehensive Plan*, as herein
3 amended, shall be as provided in the Community Planning Act, Sections
4 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
5 development undertaken by, and all actions taken in regard to
6 development orders by governmental agencies in regard to land which
7 is subject to the *2045 Comprehensive Plan*, as herein amended, shall
8 be consistent therewith as of the effective date of this amendment
9 to the plan.

10 **Section 6. Effective Date of this Plan Amendment.**

11 (a) If the amendment meets the criteria of Section 163.3187,
12 *Florida Statutes*, as amended, and is not challenged, the effective
13 date of this plan amendment shall be thirty-one (31) days after
14 adoption.

15 (b) If challenged within thirty (30) days after adoption, the
16 plan amendment shall not become effective until the state land
17 planning agency or the Administration Commission, respectively,
18 issues a final order determining the adopted Small-Scale Amendment
19 to be in compliance.

20 **Section 7. Disclaimer.** The amendment granted herein shall
21 **not** be construed as an exemption from any other applicable local,
22 state, or federal laws, regulations, requirements, permits or
23 approvals. All other applicable local, state or federal permits or
24 approvals shall be obtained before commencement of the development
25 or use, and issuance of this amendment is based upon acknowledgement,
26 representation and confirmation made by the applicant(s), owner(s),
27 developer(s) and/or any authorized agent(s) or designee(s) that the
28 subject business, development and/or use will be operated in strict
29 compliance with all laws. Issuance of this amendment does **not**
30 approve, promote or condone any practice or act that is prohibited
31 or restricted by any federal, state or local laws.

1 **Section 8. Effective Date.** This Ordinance shall become
2 effective upon signature by the Mayor or upon becoming effective
3 without the Mayor's signature.

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5 Form Approved:

6
7 /s/ Mary E. Staffopoulos

8 Office of General Counsel

9 Legislation Prepared By: Marcus Salley

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