

1 Introduced by Council Member Ferraro and amended by the Land Use and  
2 Zoning Committee:

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4  
5 **ORDINANCE 2021-534-E**

6 AN ORDINANCE AMENDING CHAPTER 656 (ZONING CODE),  
7 *ORDINANCE CODE*, CREATING NEW SUBPART T (CEDAR  
8 POINT - SAWPIT ZONING OVERLAY) WITHIN PART 3  
9 (SCHEDULE OF DISTRICT REGULATIONS); ADOPTING THE  
10 ZONING OVERLAY MAP AND DIRECTING PUBLICATION;  
11 PROVIDING AN EFFECTIVE DATE.  
12

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

14 **Section 1. Creating a new Subpart T (Cedar Point - Sawpit**  
15 **Zoning Overlay) of Part 3 (Schedule of District Regulations) of**  
16 **Chapter 656 (Zoning Code), Ordinance Code.**

17 New Subpart T (Cedar Point-Sawpit Zoning Overlay), Part 3  
18 (Schedule of District Regulations), Chapter 656 (Zoning Code),  
19 *Ordinance Code*, is hereby created to read as follows:

20 **CHAPTER 656. ZONING CODE**

21 \* \* \*

22 **Part 3. Schedule of District Regulations**

23 \* \* \*

24 **SUBPART T. CEDAR POINT - SAWPIT ZONING OVERLAY**

25 **Sec. 656.399.70 PURPOSE AND INTENT.**

26 It is the purpose and intent of this Subpart T to create and  
27 establish a Cedar Point - Sawpit Zoning Overlay which will protect  
28 the area from overdevelopment in this unique rural section of the  
29 City of Jacksonville by limiting the housing density to one (1)  
30 dwelling unit per one (1) net acre of land. "Net acre" is defined  
31 as the area of land above the jurisdictional wetland boundary as

1 determined by the state and federal agencies tasked with that  
2 determination. Additionally, this Zoning Overlay will protect and  
3 enhance the Zoning Overlay area's unique aesthetic and physical  
4 appearance; improve property values; and promote an environment that  
5 is visually appealing and safe for all modes of transportation. Any  
6 deviations from this maximum density shall require a waiver of the  
7 *Ordinance Code* pursuant to Rule 3.102, Rules of Council, and a super  
8 majority vote of the Council.

9 It is not the intent of this ordinance to encourage larger  
10 parcels to be divided into one net acre lots. Rather, this Zoning  
11 Overlay shall be used as the statement of legislative intent of the  
12 Council to discourage increased density within the Cedar Point -  
13 Sawpit Zoning Overlay area in all future rezoning and Future Land Use  
14 Map amendment requests.

15 **Sec. 656.399.71. LEGISLATIVE FINDINGS.**

16 The Council hereby finds and determines as follows:

17 A. The portion of Jacksonville that is located east of Boney  
18 Road and accessed by Cedar Point Road, Sawpit Road and their  
19 feeder local roads is defined by its rural character and  
20 contains some of the most pristine natural beauty within the  
21 County, and has been described as "Old Florida."

22 B. The Preservation Project Jacksonville funded by the Better  
23 Jacksonville Plan in the early 2000's was instrumental in  
24 the acquisition of park and conservation land including  
25 Pumpkin Hill Creek Preserve, Cedar Point Preserve, and Betz-  
26 Tiger Point Preserve. The City's Parks, Recreation and  
27 Community Services Department has recently branded that area  
28 as the "7 Creeks Recreation Area."

29 C. Cedar Point Road, starting at Boney Road and going east is a  
30 dead-end road with a length of approximately 4.72 miles.  
31 Traveling Cedar Point Road to Sawpit Road to the northern

1 end of Black Hammock Island is also a dead-end and equates  
2 to approximately 8.72 miles in length.

3 D. The City's Adaptation Action Area ("AAA boundary"), which  
4 takes into consideration Category 3 storm surge and the  
5 Federal Emergency Management Agency's 500-year flood plain  
6 (2019), indicates that most of the land within the Cedar  
7 Point - Sawpit Zoning Overlay is within the AAA boundary and  
8 is at risk for more frequent and intense storm surge and sea  
9 level rise.

10 E. Limiting the density in this Zoning Overlay to one (1)  
11 dwelling unit per one (1) net acre of land will help with  
12 evacuations in the event of a hurricane or fire emergency.

13 F. Lots legally created and existing as of July 1, 2021 that do  
14 not contain at least one net acre of developable non-  
15 jurisdictional uplands shall not be considered  
16 "nonconforming lots" and may be developed as single family  
17 dwellings as if this Zoning Overlay were not in place.  
18 However, no lot existing as of July 1, 2021 shall be divided  
19 to create a lot or lots smaller than at least one net acre  
20 of land.

21 G. The Planning Commission and the Land Use and Zoning Committee  
22 considered this density restriction, held public hearings  
23 and made their recommendations to the Council.

24 H. Based on the foregoing findings, the Council hereby  
25 establishes the Cedar Point - Sawpit Zoning Overlay (the  
26 "Zoning Overlay") regulation contained in this Subpart T, of  
27 Part 3, of the Zoning Code for the purpose of controlling  
28 the density the Overlay area by limiting growth to no more  
29 than one (1) dwelling unit per one (1) net acre of land.

30 **Sec. 656.399.72. BOUNDARIES OF CEDAR POINT - SAWPIT ZONING OVERLAY**  
31 **AREA.**

1 This Zoning Overlay is generally described as containing the  
2 lands accessed along Cedar Point Road, beginning at Bogey Branch  
3 (Creek) and heading east, and accessed along Sawpit Road and its  
4 local road connections. Within the City of Jacksonville, the Cedar  
5 Point - Sawpit Zoning Overlay Area shall be defined as the lands  
6 contained within the boundary shown below in **Figure 1 and Figure 2**,  
7 and hereby adopted as the Cedar Point - Sawpit Zoning Overlay Area  
8 (the "Overlay Area") by the City Council. Figure 1 shows the context  
9 of the Overlay Area while Figure 2 shows the roads within the Overlay  
10 Area.

11  
12 **[INSERT COLOR VERSION of REVISED EXHIBIT 1 to ORDINANCE 2021-534-E,**  
13 **which contains Figure 1 and Figure 2, HERE]**

14  
15 ***Figure 1: Cedar Point - Sawpit Zoning Overlay Area in Context***

16 ***Figure 2: Cedar Point - Sawpit Zoning Overlay Detail***

17  
18 **Sec. 656.399.73. APPLICABILITY.**

19 This Zoning Overlay is applicable to all parcels within the  
20 Cedar Point - Sawpit Zoning Overlay Area. However, parcels that were  
21 created prior to July 1, 2021 are exempt from the requirement that  
22 the lot size be a minimum of one net acre, but those lots may not be  
23 further reduced in size to less than one net acre of land.

24 **Sec. 656.399.74. SEVERABILITY**

25 If any subsection or other portion of this Subpart or any  
26 application thereof to any person or circumstances is declared to be  
27 void, unconstitutional or invalid for any reason, such subsection or  
28 other portion, or the proscribed application thereof, shall be  
29 severable and the remaining provisions of this Subpart and all  
30 applications thereof not having been declared void, unconstitutional  
31 or invalid shall remain in full force and effect. The Council declares

1 that no invalid or proscribed provision or application was an  
2 inducement to the enactment of this Subpart and that it would have  
3 enacted this Subpart regardless of the invalid or proscribed provision  
4 or application.

5 **Sec. 656.399.75. DEFINITION OF "NET ACRE".**

6 "Net acre" means the area of land lying above the jurisdictional  
7 wetland boundary as defined and determined by the state and federal  
8 agencies tasked with that determination.

9 **Section 2. Adopting the Cedar Point - Sawpit Zoning Overlay**  
10 **Map and providing for publication.** The Council hereby adopts the  
11 Cedar Point - Sawpit Zoning Overlay map as depicted in **Revised Exhibit**  
12 **1**, attached hereto, and directs the Planning and Development  
13 Department to publish the Cedar Point - Sawpit Zoning Overlay Area  
14 maps in high resolution on the City of Jacksonville webpages for the  
15 Zoning Atlas with a copy of this Ordinance, as enacted. Also,  
16 Legislative Services is directed to transmit the high resolution maps  
17 to Municode for color publication in the codification of this  
18 ordinance as indicated in Section 656.399.72 of the ordinance above.

19 **Section 3. Effective Date.** This ordinance shall become  
20 effective upon signature by the Mayor or upon becoming effective  
21 without the Mayor's signature.

22  
23 Form Approved:

24  
25           /s/ Susan C. Grandin          

26 Office of General Counsel

27 Legislation Prepared By: Susan C. Grandin

28 GC-#1484294-v1A-2022-534-E