

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-342**

5 AN ORDINANCE ADOPTING A LARGE-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 AGRICULTURE (AGR) IN THE
9 RURAL DEVELOPMENT AREA TO MULTI-USE (MU) IN THE
10 SUBURBAN DEVELOPMENT AREA SUBJECT TO FUTURE LAND
11 USE ELEMENT (FLUE) SITE SPECIFIC POLICY 4.3.23 ON
12 APPROXIMATELY 11,047.38± ACRES IN COUNCIL
13 DISTRICT 11 AT 0 COCONUT PALM PARKWAY, 0 J. TURNER
14 BUTLER BOULEVARD, 0 KIWI PALM COURT, 4950 20 MILE
15 ROAD NORTH, 0 PHILIPS HIGHWAY, 14931 PHILIPS
16 HIGHWAY, 0 ROSEWATER LANE, 0 SAN PABLO ROAD AND
17 6586 SAN PABLO ROAD SOUTH, BETWEEN INTERSTATE-295
18 AND THE DUVAL COUNTY/ST. JOHNS COUNTY LINE (R.E.
19 NOS. 167752-0200, 167755-0020, 167763-0020,
20 167764-0010, 167764-1100, 167769-0015, 167774-
21 0000, 167775-0010, 167778-0320, 167876-0020,
22 167877-0000, 167886-0000, 167887-0000, 168158-
23 0000, 168159-0000, 168160-0000 AND 168177-0120),
24 OWNED BY BJD TIMBERLANDS, LLC AND ESTUARY, LLC,
25 AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT
26 TO APPLICATION NUMBER L-5861-23A; ADDING FLUE
27 SITE SPECIFIC POLICIES; REVISING THE DEVELOPMENT
28 AREAS MAP; PROVIDING A DISCLAIMER THAT THE
29 AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED
30 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
31 PROVIDING AN EFFECTIVE DATE.

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2 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
3 *Ordinance Code*, Application Number L-5861-23A requesting a revision
4 to the Future Land Use Map series of the *2045 Comprehensive Plan* to
5 change the future land use designation from Agriculture (AGR) in the
6 Rural Development Area to Multi-Use (MU) in the Suburban Development
7 Area subject to FLUE Site Specific Policy 4.3.23 has been filed by
8 Paul M. Harden, Esq., on behalf of the owners of certain real property
9 located in Council District 11, as more particularly described in
10 Section 2; and

11 **WHEREAS**, the City, by the adoption of Ordinance 2023-649-E,
12 approved this Large-Scale Amendment to the *2045 Comprehensive Plan*
13 for transmittal to the Department of Economic Opportunity (DEO), as
14 the State Land Planning Agency, and other required state agencies,
15 for review and comment; and

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

19 **WHEREAS**, the Planning and Development Department reviewed the
20 proposed revision and application, considered all comments received,
21 prepared a written report, and rendered an advisory recommendation
22 to the Council with respect to this proposed amendment; and

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

28 **WHEREAS**, pursuant to Section 650.406, *Ordinance Code*, the Land
29 Use and Zoning (LUZ) Committee held a public hearing on this proposed
30 amendment, and made its recommendation to the City Council; and

31 **WHEREAS**, pursuant to Section 163.3184(3), *Florida Statutes*,

1 and Chapter 650, Part 4, *Ordinance Code*, the City Council held a
2 public hearing with public notice having been provided on this
3 proposed amendment to the *2045 Comprehensive Plan*; and

4 **WHEREAS**, the City Council further considered all oral and
5 written comments received during public hearings, including the data
6 and analysis portions of this proposed amendment to the *2045*
7 *Comprehensive Plan*, the recommendations of the Planning and
8 Development Department, the LPA, the LUZ Committee and the comments,
9 if any, of the DEO and the other state reviewing agencies; and

10 **WHEREAS**, in the exercise of its authority, the City Council
11 has determined it necessary and desirable to adopt this proposed
12 amendment to the *2045 Comprehensive Plan* to preserve and enhance
13 present advantages, encourage the most appropriate use of land, water,
14 and resources consistent with the public interest, overcome present
15 deficiencies, and deal effectively with future problems which may
16 result from the use and development of land within the City of
17 Jacksonville; now therefore

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

19 **Section 1. Purpose and Intent.** This Ordinance is adopted
20 to carry out the purpose and intent of, and exercise the authority
21 set out in, the Community Planning Act, Sections 163.3161 through
22 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
23 amended.

24 **Section 2. Subject Property Location and Description.** The
25 approximately 11,047.38± acres are located in Council District 11 at
26 0 Coconut Palm Parkway, 0 J. Turner Butler Boulevard, 0 Kiwi Palm
27 Court, 4950 20 Mile Road North, 0 Philips Highway, 14931 Philips
28 Highway, 0 Rosewater Lane, 0 San Pablo Road and 6586 San Pablo Road
29 South, Between Interstate-295 and the Duval County/St. Johns County
30 Line (R.E. NOS. 167752-0200, 167755-0020, 167763-0020, 167764-0010,
31 167764-1100, 167769-0015, 167774-0000, 167775-0010, 167778-0320,

1 167876-0020, 167877-0000, 167886-0000, 167887-0000, 168158-0000,
2 168159-0000, 168160-0000 and 168177-0120), as more particularly
3 described in **Exhibit 1**, dated April 12, 2024, and graphically depicted
4 in **Exhibit 2**, both of which are **attached hereto** and incorporated
5 herein by this reference (the "Subject Property").

6 **Section 3. Owner and Applicant Description.** The Subject
7 Property is owned by BJD Timberlands, LLC and Estuary, LLC. The
8 applicant is Paul M. Harden, Esq., 1431 Riverplace Boulevard, Suite
9 901, Jacksonville, Florida 32207; (904) 396-5731.

10 **Section 4. Adoption of Large-Scale Land Use Amendment.** The
11 City Council hereby adopts a proposed Large-Scale revision to the
12 Future Land Use Map series of the *2045 Comprehensive Plan* by changing
13 the Future Land Use designation from Agriculture (AGR) in the Rural
14 Development Area to Multi-Use (MU) in the Suburban Development Area
15 subject to FLUE Site Specific Policy 4.3.23, pursuant to Application
16 Number L-5861-23A.

17 **Section 5. Site Specific Policies.** The City Council hereby
18 adopts FLUE Site Specific Policy 4.3.23, dated April 24, 2024, and
19 **attached hereto** as **Exhibit 3**.

20 **Section 6. Development Areas Map.** The City Council hereby
21 adopts a proposed revision to the Development Areas Map adopted as
22 Map 6 of the Future Land Use Map Series of the *2045 Comprehensive*
23 *Plan*, as depicted in **Exhibit 4, attached hereto**.

24 **Section 7. Applicability, Effect and Legal Status.** The
25 applicability and effect of the *2045 Comprehensive Plan*, as herein
26 amended, shall be as provided in the Community Planning Act, Sections
27 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
28 development undertaken by, and all actions taken in regard to
29 development orders by governmental agencies in regard to land which
30 is subject to the *2045 Comprehensive Plan*, as herein amended, shall
31 be consistent therewith as of the effective date of this amendment

1 to the plan.

2 **Section 8. Effective Date of this Plan Amendment.** Unless
3 this plan amendment is timely challenged under the procedures set
4 forth in Section 163.3184(3), *Florida Statutes*, this plan amendment
5 shall be effective thirty-one (31) days after DEO notifies the City
6 that the plan amendment or plan amendment package is complete. If
7 this plan amendment is timely challenged under Section 163.3184(3),
8 *Florida Statutes*, this plan amendment shall become effective when the
9 DEO or the Administration Commission enters a final order determining
10 the adopted amendment to be in compliance. If this plan amendment
11 is found not to be in compliance under the standards and procedures
12 set forth in Chapter 163, Part II, *Florida Statutes*, then this plan
13 amendment shall become effective only by further action by the City
14 Council. No development orders, development permits, or land uses
15 dependent on this amendment may be issued or commence before it has
16 become effective.

17 **Section 9. Disclaimer.** The amendment granted herein shall
18 **not** be construed as an exemption from any other applicable local,
19 state, or federal laws, regulations, requirements, permits or
20 approvals. All other applicable local, state or federal permits or
21 approvals shall be obtained before commencement of the development
22 or use and issuance of this amendment is based upon acknowledgement,
23 representation and confirmation made by the applicant(s), owner(s),
24 developer(s) and/or any authorized agent(s) or designee(s) that the
25 subject business, development and/or use will be operated in strict
26 compliance with all laws. Issuance of this amendment does **not** approve,
27 promote or condone any practice or act that is prohibited or
28 restricted by any federal, state or local laws.

29 **Section 10. Effective Date.** This Ordinance shall
30 become effective upon signature by the Mayor or upon becoming
31 effective without the Mayor's signature.

1 Form Approved:

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3 /s/ Dylan Reingold

4 Office of General Counsel

5 Legislation Prepared By: Helena Parola

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