

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

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), INCLUDING  
25 TRANSPORTATION CONDITIONS, PURSUANT TO FUTURE  
26 LAND USE MAP SERIES (FLUMS) LARGE-SCALE  
27 AMENDMENT APPLICATION L-5441-20A; ADOPTING A  
28 SIGN POSTING PLAN PURSUANT TO SECTION 656.126,  
29 *ORDINANCE CODE*, PROVIDING A DISCLAIMER THAT THE  
30 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
31 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;

1 PROVIDING AN 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 **Exhibit 2** - Subject Property per P&DD (PUD Portion).

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

4 **Exhibit 4** - Site Plan dated February 17, 2021.

5 **Exhibit 5** - Transportation Conditions dated April 26, 2021.

6 **Section 4. Adopting Sign Posting Plan Pursuant to Section**  
7 **656.126, Ordinance Code.** Pursuant to Section 656.126, *Ordinance*  
8 *Code*, the City Council hereby adopts the Sign Posting Plan **attached**  
9 **hereto** as **Exhibit 6**, and finds that the mailed letters and notices,  
10 and the Sign Posting Plan, have provided notice to all affected  
11 property owners in compliance with all state and local laws and  
12 regulations.

13 **Section 5. Contingency.** This rezoning shall not become  
14 effective until 31 days after adoption of the companion Large-Scale  
15 Amendment unless challenged by the state land planning agency; and  
16 further provided that if the companion Large-Scale Amendment is  
17 challenged by the state land planning agency, this rezoning shall not  
18 become effective until the state land planning agency or the  
19 Administration Commission issues a final order determining the  
20 companion Large-Scale Amendment is in compliance with Chapter 163,  
21 *Florida Statutes*.

22 **Section 6. Disclaimer.** The rezoning granted herein  
23 shall not be construed as an exemption from any other applicable  
24 local, state, or federal laws, regulations, requirements, permits or  
25 approvals. All other applicable local, state or federal permits or  
26 approvals shall be obtained before commencement of the development  
27 or use and issuance of this rezoning is based upon acknowledgement,  
28 representation and confirmation made by the applicant(s), owner(s),  
29 developer(s) and/or any authorized agent(s) or designee(s) that the  
30 subject business, development and/or use will be operated in strict  
31 compliance with all laws. Issuance of this rezoning does not approve,

1 promote or condone any practice or act that is prohibited or  
2 restricted by any federal, state or local laws.

3           **Section 7.           Effective Date.** The enactment of this Ordinance  
4 shall be deemed to constitute a quasi-judicial action of the City  
5 Council and shall become effective upon signature by the Council  
6 President and the Council Secretary.

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8 Form Approved:

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10                 /s/ Shannon K. Eller          

11 Office of General Counsel

12 Legislation Prepared By: Bruce Lewis

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