

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-828**

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 AGRICULTURE-IV (AGR-IV) TO  
9 LOW DENSITY RESIDENTIAL (LDR) ON APPROXIMATELY  
10 56.86± ACRES IN COUNCIL DISTRICT 8 AT 8475 GARDEN  
11 STREET AND 8439 GARDEN STREET, BETWEEN PAXTON  
12 ROAD AND MESSER ROAD (R.E. NOS. 002830-0000,  
13 002830-0030 AND 002832-0000), OWNED BY COOPER  
14 MEADOWS LLC, AS MORE PARTICULARLY DESCRIBED  
15 HEREIN, PURSUANT TO APPLICATION NUMBER L-5521-  
16 21A; PROVIDING A DISCLAIMER THAT THE AMENDMENT  
17 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
18 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 Agriculture-IV  
25 (AGR-IV) to Low Density Residential (LDR) has been filed by Curtis  
26 L. Hart on behalf of Cooper Meadows LLC, the owner of certain real  
27 property located in Council District 8, as more particularly described  
28 in Section 2; and

29 **WHEREAS**, the City, by the adoption of Ordinance 2021-404-E,  
30 approved this Large-Scale Amendment to the *2030 Comprehensive Plan*  
31 for transmittal to the Department of Economic Opportunity (DEO), as

1 the State Land Planning Agency, and other required state agencies,  
2 for review and comment; and

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

6 **WHEREAS**, the Planning and Development Department reviewed the  
7 proposed revision and application, considered all comments received,  
8 prepared a written report, and rendered an advisory recommendation  
9 to the Council with respect to this proposed amendment; and

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

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

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

22 **WHEREAS**, the City Council further considered all oral and  
23 written comments received during public hearings, including the data  
24 and analysis portions of this proposed amendment to the *2030*  
25 *Comprehensive Plan*, the recommendations of the Planning and  
26 Development Department, the LPA, the LUZ Committee and the comments,  
27 if any, of the DEO and the other state reviewing agencies; and

28 **WHEREAS**, in the exercise of its authority, the City Council has  
29 determined it necessary and desirable to adopt this proposed amendment  
30 to the *2030 Comprehensive Plan* to preserve and enhance present  
31 advantages, encourage the most appropriate use of land, water, and

1 resources consistent with the public interest, overcome present  
2 deficiencies, and deal effectively with future problems which may  
3 result from the use and development of land within the City of  
4 Jacksonville; now, therefore

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

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

11 **Section 2. Subject Property Location and Description.** The  
12 approximately 56.86± acres are located in Council District 8 at 8475  
13 Garden Street and 8439 Garden Street, between Paxton Road and Messer  
14 Road (R.E. Nos. 002830-0000, 002830-0030 and 002832-0000), as more  
15 particularly described in **Exhibit 1**, dated November 2, 2021, and  
16 graphically depicted in **Exhibit 2**, both of which are **attached hereto**  
17 and incorporated herein by this reference (the "Subject Property").

18 **Section 3. Owner and Applicant Description.** The Subject  
19 Property is owned by Cooper Meadows LLC. The applicant is Curtis L.  
20 Hart, 8051 Tara Lane, Jacksonville, Florida 32216; (904) 993-5008.

21 **Section 4. Development Areas Map.** The approval herein  
22 includes a proposed revision to the Development Areas Map adopted as  
23 Future Land Use Element Map L-21, Transportation Element Map T-4, and  
24 Capital Improvements Element Map CI-1 of the *2030 Comprehensive Plan*,  
25 as depicted in **Exhibit 3**, **attached hereto**.

26 **Section 5. Adoption of Large-Scale Land Use Amendment.** The  
27 City Council hereby adopts a proposed Large-Scale revision to the  
28 Future Land Use Map series of the *2030 Comprehensive Plan* by changing  
29 the Future Land Use Map designation from Agriculture-IV (AGR-IV) to  
30 Low Density Residential (LDR), pursuant to Application Number L-5521-  
31 21A.

1           **Section 6.           Applicability, Effect and Legal Status.**    The  
2 applicability and effect of the *2030 Comprehensive Plan*, as herein  
3 amended, shall be as provided in the Community Planning Act, Section  
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 *2030 Comprehensive Plan*, as herein amended, shall  
8 be consistent therewith as of the effective date of this amendment  
9 to the plan.

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

25           **Section 8.           Disclaimer.**    The amendment granted herein shall  
26 **not** be construed as an exemption from any other applicable local,  
27 state, or federal laws, regulations, requirements, permits or  
28 approvals. All other applicable local, state or federal permits or  
29 approvals shall be obtained before commencement of the development  
30 or use and issuance of this amendment is based upon acknowledgement,  
31 representation and confirmation made by the applicant(s), owner(s),

