

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-407-W**

5 AN ORDINANCE TRANSMITTING TO THE STATE OF  
6 FLORIDA'S VARIOUS AGENCIES FOR REVIEW, A  
7 PROPOSED LARGE SCALE REVISION TO THE FUTURE LAND  
8 USE MAP SERIES OF THE *2045 COMPREHENSIVE PLAN* TO  
9 CHANGE THE FUTURE LAND USE DESIGNATION FROM  
10 AGRICULTURE (AGR) IN THE RURAL DEVELOPMENT AREA  
11 TO LOW DENSITY RESIDENTIAL (LDR) IN THE SUBURBAN  
12 DEVELOPMENT AREA ON APPROXIMATELY 37.33± ACRES  
13 LOCATED IN COUNCIL DISTRICT 12 AT 0 YELLOW WATER  
14 ROAD, BETWEEN BELL ESTATES ROAD AND YELLOW WATER  
15 LANE (R.E. NO. 002272-0030), AS MORE  
16 PARTICULARLY DESCRIBED HEREIN, OWNED BY JOHN  
17 BENTON, AS TRUSTEE OF THE YELLOW WATER LAND  
18 TRUST UNDER THE PROVISIONS OF A TRUST AGREEMENT  
19 DATED JUNE 10, 1995, INCLUDING A REVISION TO THE  
20 DEVELOPMENT AREAS MAP, PURSUANT TO APPLICATION  
21 NUMBER L-5717-22A; PROVIDING A DISCLAIMER THAT  
22 THE TRANSMITTAL GRANTED HEREIN SHALL NOT BE  
23 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
24 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

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26 **WHEREAS**, pursuant to the provisions of Section 650.402(b),  
27 *Ordinance Code*, Application Number L-5717-22A requesting a revision  
28 to the Future Land Use Map series of the *2045 Comprehensive Plan* to  
29 change the future land use designation from Agriculture (AGR) in the  
30 Rural Development Area to Low Density Residential (LDR) in the  
31 Suburban Development Area has been filed by Cyndy Trimmer, Esq. on

1 behalf of the owner of certain real property located in Council  
2 District 12, as more particularly described in Section 2; and

3 **WHEREAS**, the Planning and Development Department reviewed the  
4 proposed revision and application, held a public information workshop  
5 on this proposed amendment to the *2045 Comprehensive Plan*, with due  
6 public notice having been provided, and having reviewed and considered  
7 all comments received during the public workshop, has prepared a  
8 written report and rendered an advisory recommendation to the Council  
9 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, reviewed and considered all  
13 comments received during the public hearing and made its  
14 recommendation to the City Council; and

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

20 **WHEREAS**, the City Council held a public hearing on this proposed  
21 amendment with public notice having been provided, pursuant to Section  
22 163.3184(3), *Florida Statutes*, and Chapter 650, Part 4, *Ordinance*  
23 *Code*, and having considered all written and oral comments received  
24 during the public hearing, the recommendations of the Planning and  
25 Development Department, the LPA, and the LUZ Committee, desires to  
26 transmit this proposed amendment through the State's Expedited State  
27 Review Process for amendment review to the Florida Department of  
28 Economic Opportunity, as the State Land Planning Agency, the Northeast  
29 Florida Regional Council, the Florida Department of Transportation,  
30 the St. Johns River Water Management District, the Florida Department  
31 of Environmental Protection, the Florida Fish and Wildlife

1 Conservation Commission, the Department of State's Bureau of Historic  
2 Preservation, the Florida Department of Education, the Department of  
3 Agriculture and Consumer Services, and to the commanding officers of  
4 Naval Air Station Jacksonville, Marine Corps Support Facility - Blount  
5 Island, Outlying Land Field Whitehouse, and Naval Station Mayport;  
6 now, therefore

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

8 **Section 1. Purpose and Intent.** The Council hereby approves  
9 for transmittal to the various State agencies for review a proposed  
10 large-scale revision to the Future Land Use Map series of the *2045*  
11 *Comprehensive Plan* by changing the future land use designation from  
12 Agriculture (AGR) in the Rural Development Area to Low Density  
13 Residential (LDR) in the Suburban Development Area, pursuant to  
14 Application Number L-5717-22A.

15 **Section 2. Subject Property Location and Description.** The  
16 approximately 37.33± acres are located in Council District 12 at 0  
17 Yellow Water Road, between Bell Estates Road and Yellow Water Lane  
18 (R.E. No. 002272-0030), as more particularly described in **Exhibit 1**,  
19 dated April 29, 2022, and graphically depicted in **Exhibit 2**, both of  
20 which are attached hereto and incorporated herein by this reference  
21 (the "Subject Property").

22 **Section 3. Owner and Applicant Description.** The Subject  
23 Property is owned by John Benton, as Trustee of the Yellow Water Land  
24 Trust Under the Provisions of a Trust Agreement dated June 10, 1995.  
25 The applicant is Cyndy Trimmer, Esq., One Independent Drive, Suite  
26 1200, Jacksonville, Florida 32202; (904) 807-0185.

27 **Section 4. Development Areas Map.** This transmittal  
28 includes a proposed revision to the Development Areas Map adopted as  
29 Map 6 of the Future Land Use Map Series of the *2045 Comprehensive*  
30 *Plan*, as depicted in **Exhibit 3**, attached hereto.

31 **Section 5. Disclaimer.** The transmittal granted herein

1 shall **not** be construed as an exemption from any other applicable  
2 local, state, or federal laws, regulations, requirements, permits or  
3 approvals. All other applicable local, state or federal permits or  
4 approvals shall be obtained before commencement of the development  
5 or use and issuance of this transmittal is based upon acknowledgement,  
6 representation and confirmation made by the applicant(s), owner(s),  
7 developer(s) and/or any authorized agent(s) or designee(s) that the  
8 subject business, development and/or use will be operated in strict  
9 compliance with all laws. Issuance of this transmittal does **not**  
10 approve, promote or condone any practice or act that is prohibited  
11 or restricted by any federal, state or local laws.

12 **Section 6. Effective Date.** This Ordinance shall become  
13 effective upon signature by the Mayor or upon becoming effective  
14 without the Mayor's signature.

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16 Form Approved:

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18         /s/ Shannon K. Eller  

19 Office of General Counsel

20 Legislation Prepared by: Helena Parola

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