

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-425**

5 AN ORDINANCE TRANSMITTING A PROPOSED LARGE SCALE
6 REVISION TO THE FUTURE LAND USE MAP SERIES OF THE
7 2030 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND
8 USE DESIGNATION FROM AGRICULTURE-I (AGR-I),
9 AGRICULTURE-II (AGR-II) AND AGRICULTURE-III (AGR-
10 III) TO LOW DENSITY RESIDENTIAL (LDR) ON
11 APPROXIMATELY 2,512.23± ACRES LOCATED IN COUNCIL
12 DISTRICT 11, ON THE EAST SIDE OF INTERSTATE 95,
13 NORTH OF STATE ROAD 9B AND SOUTH OF J. TURNER
14 BUTLER BOULEVARD, OWNED BY ESTUARY, LLC, AS MORE
15 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
16 APPLICATION NUMBER L-5349-18A, FOR TRANSMITTAL TO
17 THE STATE OF FLORIDA'S VARIOUS AGENCIES FOR
18 REVIEW; PROVIDING A DISCLAIMER THAT THE
19 TRANSMITTAL GRANTED HEREIN SHALL NOT BE CONSTRUED
20 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
21 PROVIDING AN EFFECTIVE DATE.
22

23 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
24 *Ordinance Code*, Application Number L-5349-18A requesting a revision to
25 the Future Land Use Map series of the *2030 Comprehensive Plan* to change
26 the future land use designation from Agriculture-I (AGR-I),
27 Agriculture-II (AGR-II) and Agriculture-III (AGR-III) to Low Density
28 Residential (LDR) has been filed by Paul M. Harden, Esq., on behalf of
29 Estuary, LLC, the owner of certain real property located in Council
30 District 11, as more particularly described in Section 2; and

31 **WHEREAS**, the Planning and Development Department reviewed the

1 proposed revision and application, held a public information workshop
2 on this proposed amendment to the *2030 Comprehensive Plan*, with due
3 public notice having been provided, and having reviewed and considered
4 all comments received during the public workshop, has prepared a
5 written report and rendered an advisory recommendation to the Council
6 with respect to this proposed amendment; and

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

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

17 **WHEREAS**, the City Council held a public hearing on this proposed
18 amendment with public notice having been provided, pursuant to Section
19 163.3184(3), *Florida Statutes*, and Chapter 650, Part 4, *Ordinance Code*,
20 and having considered all written and oral comments received during the
21 public hearing, the recommendations of the Planning and Development
22 Department, the LPA, and the LUZ Committee, desires to transmit this
23 proposed amendment through the State's Expedited State Review Process
24 for amendment review to the Florida Department of Economic Opportunity,
25 as the State Land Planning Agency, the Northeast Florida Regional
26 Council, the Florida Department of Transportation, the St. Johns River
27 Water Management District, the Florida Department of Environmental
28 Protection, the Florida Fish and Wildlife Conservation Commission, the
29 Department of State's Bureau of Historic Preservation, the Florida
30 Department of Education, and the Department of Agriculture and Consumer
31 Services; now, therefore

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

2 **Section 1. Purpose and Intent.** The Council hereby approves
3 for transmittal to the various State agencies for review a proposed
4 large scale revision to the Future Land Use Map series of the *2030*
5 *Comprehensive Plan* by changing the future land use designation from
6 Agriculture-I (AGR-I), Agriculture-II (AGR-II) and Agriculture-III
7 (AGR-III) to Low Density Residential (LDR), pursuant to Application
8 Number L-5349-18A.

9 **Section 2. Subject Property Location and Description.** The
10 approximately 2,512.23± acres is located in Council District 11, on the
11 east side of Interstate 95, north of State Road 9B and south of J.
12 Turner Butler Boulevard, as more particularly described in **Exhibit 1**,
13 dated May 9, 2014, and graphically depicted in **Exhibit 2**, both of which
14 are **attached hereto** and incorporated herein by this reference (Subject
15 Property).

16 **Section 3. Owner and Applicant Description.** The Subject
17 Property is owned by Estuary, LLC. The applicant is Paul M. Harden,
18 Esq., 501 Riverside Avenue, Suite 901, Jacksonville, Florida 32202;
19 (904) 396-5731.

20 **Section 4. Disclaimer.** The transmittal granted herein
21 shall **not** be construed as an exemption from any other applicable local,
22 state, or federal laws, regulations, requirements, permits or
23 approvals. All other applicable local, state or federal permits or
24 approvals shall be obtained before commencement of the development or
25 use and issuance of this transmittal is based upon acknowledgement,
26 representation and confirmation made by the applicant(s), owner(s),
27 developer(s) and/or any authorized agent(s) or designee(s) that the
28 subject business, development and/or use will be operated in strict
29 compliance with all laws. Issuance of this transmittal does **not**
30 approve, promote or condone any practice or act that is prohibited or
31 restricted by any federal, state or local laws.

1 **Section 5. Effective Date.** This Ordinance shall become
2 effective upon signature by the Mayor or upon becoming effective
3 without the Mayor's signature.

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5 Form Approved:

6
7 /s/ Shannon K. Eller

8 Office of General Counsel

9 Legislation Prepared by: Kristen Fogarty

10 GC-#1285162-v1-L-5349_LS_TRANS