



**OFFICE OF CITY COUNCIL
COUNCIL AGENDA OF AUGUST 27, 2019**

BRIEF SUMMARIES OF AMENDMENTS and SUBSTITUTES

Compiled by: Research Division

**Full text of amendments and substitutes available via Legislative Bill Search system at
<https://jaxcityc.legistar.com/Legislation.aspx>**

- 19-330 Substitute (ORD-MC Creating New Pt 1 (Small Quantity Marijuana Possession), Chapt 606 (Drugs), Ord Code, to Create a Civil Citation Prog for possession of less than 20 grams of Marijuana or Marijuana Drug Paraphernalia):
1. Updates the terms to refer to cannabis (rather than marijuana) and includes a definition consistent with changes in state law which took effect on July 1, 2019.
 2. Ties the fine structure for the civil citation to Chapter 609 fine schedule (Code Enforcement) rather than a separate fine schedule.
 3. Specifies that fine revenue will be deposited into the Duval County Alcohol and Other Drug Abuse Trust Fund.
- 19-380 Amendment (ORD Calling a Special Election to Hold a referendum of the Qualified Electors residing in Duval County to be held on 11/5/19 on the Question of Apv a ½ Cent School Capital Outlay Sales Surtax as Levied by the Duval County School Board):
- Floor (Carlucci):
1. Changes referendum date to November 3, 2020.
 2. Corrects scrivener's error in the labeling of an exhibit attached to Exhibit 1.
- 19-368 Amendment (ORD-Q Rezoning at 0, 4499, 4509 & 4666 Cedar Point Rd btwn Gate Rd & Boney Rd from RR-ACRE & PUD to PUD):
Rezoning approved subject to conditions:
1. PUD is subject to the Transportation Planning Division memo dated June 5, 2019 or as otherwise approved by the Chief of Transportation Planning Division.
 2. Attaches Revised Exhibit 3 (revised Written Description dated 8/13/19).
 3. Attaches Revised Exhibit 4 (revised Site Plan dated 8/12/19).
 4. See pp. 5-8 below for complete listing of conditions.
- 19-455 Amendment (ORD-Q Rezoning at 8159 Arlington Expressway btwn Arlingwood Ave & State Commerce Rd from CCG-1, RLD-60 & PUD to PUD):
Rezoning approved subject to conditions:
1. Pursuant to Policy 4.1.5 of the Transportation Element of the 2030 Comprehensive Plan, the applicant must provide for the convenient and safe access by and securing of bicycles on site. The bicycle parking must be consistent with the requirements outlined in Part 6 of the Zoning Code.
 2. If the entrance is gated, provide a queuing analysis and show that the line of vehicles entering through the gates will not extend into the roundabout at the time of verification of substantial compliance.
 3. Internal roads, as shown on the site plan, shall be private roads.
 4. Prior to the first final inspection within any phase of development, the owner or their

agent shall submit to the Planning and Development Department for its review and approval either: (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.

- 19-459 Amendment (ORD-Q Apv Sign Waiver Appl SW-19-04 for Sign at 6920 N Pearl St btwn 60th St W & Perry St to increase max size and reduce min setback):
Amended to remove size waiver request.
- 19-476 Amendment (RESO Encouraging the Creation of a Census 2020 Complete Count Committee to plan and conduct local educational initiatives, publicity & promotional activities to increase community awareness and participation in the 2020 Census):
Changes the resolution to be a statement of support for the administration's Complete Count Committee.
- 19-483 Amendment (ORD-MC Estab Boggy Branch Community Dev District; Describing External Boundaries of "Boggy Branch CDD"; Naming Boggy Branch CDD):
1. Corrects acreage in the bill to approx. 556.56 acres.
2. Attaches Revised Exhibit 2 to update legal description and correct acreage.
3. Places revised Document on File to reflect Amended Petition to:
- Update legal description and corresponding exhibits.
- Update the relationships of certain board members to the Managers of the Petitioner.
- Explain the difference in the proposed residential units and the JEA letter of availability.
- Remove the request for special powers.
- 19-490 Amendment (ORD-MC Estab Ryals Creek Comm Dev Dist ("Ryals Creek CDD"); Describing external boundaries of Ryals Creek CDD; naming Ryals Creek CDD):
1. Corrects acreage in the bill to approximately 417.68 acres.
2. Attaches Revised Exhibit 2 to update the legal description and correct acreage.
3. Places Revised Document on File to update the legal description and correct acreage.
- 19-519 Amendment (ORD Approp \$206,183.00 from Gen Fund – Economic Grant Prog to Auth Capital Projs in order to Fully Fund the Boone Park North Proj.):
Attaches Revised Exhibit 1 to correct BT.
- 19-520 Amendment (ORD Concerning Continuation Grant; Approp \$395,915.00 (\$296,936.25 from the FEMA through the FDEM & a 25% City Match of \$98,978.75 from the reserve for Fed Funds) under the Hazard Mitigation Grant Prog.):
1. Attaches Revised Exhibit 1 to correct account titles on BT.
2. Attaches Revised Exhibit 2 to correct project number on CIP sheet.
- 19-521 Amendment (ORD Approp \$256,921.95 from the Tree Protection & Related Expenses Trust Fund, Ord Subfund 15F, for the planting of trees in 3 locations: 1) Yancey Park at 3301 Soutel Dr, (2) Pritchard Rd Median at Old Kings Rd, & (3) along Moncrief-Dinsmore Rd btwn Trout River Blvd & Dunn Ave, for a project known as "District 8 Tree Planting Project):
1. Corrects appropriation amount in bill from \$256,921.95 to \$263,836.95.
2. Attaches Revised Exhibit 1 to correct appropriation amount on BT.
3. Attaches Revised Exhibit 2 to correct total costs.

- 19-523 Amendment (ORD Approp \$400,000.00 in surplus funds from the General Fund – Economic Grant Program to the General Fund – Public Service Grants to fund a 1-time contribution to MHRC):
1. Corrects introduction of the bill to be at the request of the Mayor.
 2. Adds carryover language.
 3. Revises purpose of funding from a one-time financial contribution to assist with MHRC’s financial difficulties to a grant that will partially fund their South Outpatient Comprehensive Services Center.
 4. Corrects “to account” name.
 5. Designates an oversight department.
 6. Adds language authorizing the mayor and corporation secretary to execute the funding agreement.
 7. Attaches Revised Exhibit 1 to correct BT.
 8. Attaches new Exhibit 2 - Funding Agreement to include among other terms, the effective date, term, scope of services, the population served (Duval County residents only), public purpose, payment terms, reporting responsibilities, audit rights, and contract oversight.
- 19-524 Amendment (ORD-MC Amend Chapt 53 (CRA Advisory Boards), Ord Code; Amend Pt 1 (Renew Arlington CRA Advisory Board), to include 2 addl members to the Advisory Board, & to correct references):
1. Revises total Advisory Board members from seven to nine.
 2. Corrects Code Section references.
 3. Clarifies initial term length of the two new Advisory Board members.
 4. Removes strikethrough to language on pg. 3, lines 5-8 and 11-12.
 5. Corrects scrivener’s errors.
- 19-525 Amendment (ORD Concerning Continuation Grant; Approp \$496,965.00 (\$372,723.75 from FEMA through FDEM & a 25% City Match of \$124,241.25 from the Gen Fund) under the Hazard Mitigation Grant Prog to Acquire & Demolish Flood-Prone Property):
1. Attaches Revised Exhibit 1 to correct account titles on BT.
 2. Attaches Revised Exhibit 2 to correct project number on the CIP sheet.
- 19-527 Amendment (ORD Approp \$2,600,000 from Debt Management Fund – Loan Repayment to the Capital Project Entitled “Fire Station #5 Land Purchase”):
1. Attaches Revised Exhibit 1 (revised BT) to correct project number.
 2. Attaches Revised Exhibit 2 (CIP Sheet) to account for construction portion of project.
 3. Corrects project name throughout bill.
- 19-530 Amendment (RESO Conf Appt of Mildred S. Brown, a Duval County Resident, to the Jacksonville-Duval County Council on Elder Affairs):
- Corrects name of person being replaced.
- 19-558 Amendment (ORD Approp \$247,389.95 in Investment Pool Earnings from the JIA/CRA Trust Fund to provide funding for a grant to Farm Share, Inc. (“Farm Share”) in order to fund up to 1 year of rent, misc. moving expenses, some tenant build-out & some equipment for its new Jax warehouse):
1. Removes equipment from use of funds.
 2. Clarifies use of funds in public purpose.
 3. Clarifies new warehouse is located within the JIA CRA boundaries.
 4. Includes waiver of Sec. 118.201(f)(7) to allow for a 25% advance payment to Farm Share.
 5. Attaches Revised Exhibit 2 to attach revised BT.

6. Attaches Revised Exhibit 3 to attach revised funding agreement to clarify the effective date, term, and documentation requirements, to remove equipment from the budget, include the waiver of 118.201(f)(7), and update insurance and indemnification language.

7. Corrects scrivener's errors

Floor: attaches a Revised Exhibit 1, which encompasses the entire CRA Resolution, Funding Agreement and CRA Budget Form.

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Conditions for Bradley Pond PUD II (2019-368)

Canoe/kayak Launch Site.

1. The developer shall provide public vehicular access to Clapboard Creek through a perpetual, non-exclusive public access easement, dedication as part of the plat, or Deed of Dedication (“Kayak/canoe Vehicular Access Easement”) in favor of the City, in a form approved by the Office of General Counsel, over the local roads as contemplated in the development, from Cedar Point Road to the small island in the southern portion of the Unit 2 property. The small island is depicted as “Island” on the Preliminary Site Plan of Bradley Pond Unit 1 and 2, dated August 12, 2019 (“Preliminary Site Plan”).
2. As a condition of issuance of the first Single Family Residential New Building permit for the development, the **conveyance documentation** for the Kayak/canoe Vehicular Access Easement shall be provided to the City for acceptance. This easement may make provision for an initial temporary kayak parking area (“Temporary Parking”), as indicated on the Preliminary Site Plan, as well as the permanent kayak Parking Area (located at the near southern extent of the uplands in Unit 2), but shall include the entire length of the easement from Cedar Point Road to the Kayak/canoe Launch site. The Easement shall include language that if the developer is unable to construct the Access, then the City, or other governmental agency, may do so.
3. As a condition of the issuance of the 41st Single Family Residential New Building permit for the development, the Kayak/canoe Vehicular Access shall be **constructed**, and approved by the City, from Cedar Point Road to, as an initial stage, the northern portion of Unit 2, at the point where “Temporary Parking” is depicted on the Preliminary Site Plan. The portion of this access and parking area located within Unit 2 may be paved, or may be unpaved and graded so long as it is traversable by a non-four-wheel-drive car. From this initial temporary kayak parking area, which shall contain parking for 10 vehicles, the Trail, including the pedestrian bridge/boardwalk, shall be **constructed** to the shoreline Kayak/canoe launching area (the “Kayak/canoe Launch”).
4. The temporary Kayak/canoe Vehicular Access and the Kayak/canoe Launch site shall be cleared of underbrush and maintained in a manner to allow passive recreation use, as approved by the Parks, Recreation and Community Services Department (“Parks Dept.”).
5. The Kayak Vehicular Access shall at all times make provision for the conveyance of drainage flow from the north across or under the Access so that the drainage is not impeded by the Access, particularly between Unit 2 Lots 14 and 15, and Lots 33 and 34. A statement on the plat, in the recorded HOA documents, and a deed restriction for Lots 14, 15, 33 and 34 of Unit 2 shall prohibit the filling, grading, planting or constructing structures in that area.
6. As a condition of issuance of the 41st Single Family Residential New Building Permit, **Directional Signs**, in the form and locations approved by the Parks Dept. shall be provided on Cedar Point Road, and the designated shoreline launch site, alerting the public of the Canoe/kayak Launch Site.
7. The developer or the Homeowner’s association (“HOA”) shall maintain: the Kayak Access and Parking Area (both temporary and permanent); the drainage under the Vehicular Access; the Kayak/canoe Launch Site, including any necessary repairs/replacement of the pedestrian bridge across the wetlands, as needed; and the Multi-use Trail. A statement shall be included in the HOA documents alerting purchasers in this development of these requirements.
8. As a condition of acceptance of Unit 2, the paved Kayak Parking Area and the paved Kayak/canoe Vehicular Access to it shall be **constructed** through Unit 2 to the kayak Parking Area, as indicated on the Preliminary Site Plan. The parking lot shall be to ADA standards.

Multi-Use Trail

1. In lieu of providing the sidewalk as required in ordinance 2017-44-E (Bradley Pond PUD I), the developer shall provide public access to the Kayak/canoe Launch site through a perpetual non-exclusive public access easement ("Multi-use Trail Easement") that will contain a 10 foot wide paved Multi-use Trail ("the Trail") as indicated on the Preliminary Site Plan, providing the connection from the sidewalk to be constructed by the City along Cedar Point Road to the Kayak/canoe Launch site, for the purposes of pedestrian and non-motorized bicycle use. The easement shall be in favor of the City, in a form approved by the Office of General Counsel. The developer shall construct and maintain the Trail, however, if the developer fails to do so, the City may do so with the cost charged to the developer or HOA, as the case may be. Rather than providing the exact location of the Trail through a survey, the developer may provide a blanket easement over the HOA Tract 1 in Unit 1, and the HOA Tract in Unit 2, so long as the location of the Trail is consistent with that shown on the Preliminary Site Plan.
2. As a condition of issuance of the 41st Single Family Residential New Building Permit in Unit 1, the developer shall design and construct, and the City shall review for acceptance, the 10 foot wide paved Trail provided through Unit 1 and as a paved Trail and pedestrian bridge/boardwalk through Unit 2, down to and including the Kayak/canoe Launch site, in conformance with specifications provided by the Parks Dept.
3. The Trail shall be designed and constructed such that private vehicles cannot access the Trail, and shall be to ADA standards.
4. The Trail shall not be lighted, and shall have operating hours posted as from dawn to dusk.

Access to the Property and to Lots.

1. Vehicular access to the Property shall be by way of Cedar Point Road, substantially as shown on the Preliminary Site Plan. The final location of the access point on Cedar Point Road is subject to the review and approval of the Planning Department.
2. There shall be no vehicular access to Gate Road.
3. All Lots in Phase I of Parcel C (the TND Lots) shall be developed as shown on the Preliminary Site Plan with an alley providing vehicular access and utilities to the Lots. Any garage located on these Lots shall be located in the rear of the lot to allow vehicular access from the alley, with no garage door facing the right-of-way.
4. The alleys for the Parcel C Lots, and the roads abutting the frontage of Parcel C Lots, shall be constructed in conformance with the TND Roadway Typical Section as shown in Appendix 3 of the Land Development Procedures Manual, and in the Series 500 Paving drawings of the City Standard Details (April 2009) document.
5. Alleys and roads in Parcel C shall contain the utilities in order to allow street trees to line the streets.
6. Phase 2 of the Parcel C Lots (Lots 82-102), currently drawn as TND Lots on the Preliminary Site Plan, may be developed in the suburban model that is present in Parcels A and B, with a minimum width of 60 feet, or may be developed as TND Lots, but not a mixture of both.
7. All Lots not developed as TND Lots, shall have a minimum of 25 feet from the sidewalk, if any, to the face of the garage door. Along areas where no sidewalk is planned, there shall be a minimum of 20 feet from the right-of-way line to the face of the garage.

Internal Circulation.

1. Cul-de-sacs with islands shall be designed such that SU-30 design vehicles can negotiate them.
2. The roundabout shall be designed to FHWA Single Lane Roundabout Standards.
3. Sidewalks a minimum of 5 feet in width shall be provided on both sides of all streets except: in Unit 2 a single 6 foot wide sidewalk will be provided fronting Lots 22-37, rather than providing a 5 foot sidewalk on both sides of the street; and in Unit 1, the sidewalk may be eliminated as shown on the Preliminary Site Plan on the northernmost cul-de-sac in Unit 1 if required for the proper turning radius in the cul-de-sac.

Buffers.

1. The 20 foot natural buffer as required by Sec. 656.1222, *Ordinance Code*, along Cedar Point Road and Gate Road shall be platted as a separate Tract and owned by the HOA. It shall contain an 85% opaque screen fence or wall located along the Lot-side of the buffer, with trees and landscaping provided on the street-side of the buffer.
2. As a condition of Civil Plan Review and Approval of Unit 1, the developer shall provide the City with a perpetual, non-exclusive easement for the purpose of pedestrian and non-motorized bicycle use, to construct an 8 foot wide sidewalk within the 20 foot Landscape Buffer Tract as shown on the Preliminary Site Plan along Cedar Point Road. The easement shall be in a form approved by the Office of General Counsel.
3. Pursuant to Sec. 656.1222 and in order to determine the amount and location of all trees of 3" d.b.h. or greater, the developer shall provide the City with a tree survey of trees 3" d.b.h. or greater along Cedar Point Road and Gate Road.
4. The tree survey along Cedar Point Road will be utilized by the City so that the sidewalk, which will be designed and constructed by the City, will meander in order to save existing trees while providing a safe distance from the roadbed of Cedar Point Road.
5. Within the 20 foot Buffer Tracts along Cedar Point Road and Gate Road, pursuant to Sec. 656.1222, if trees 3" or great d.b.h. are removed from the Tracts, they must be replaced with at least 3" caliper trees (equating to the amount of inches total removed) in each Tract. If the preserved trees do not equate to one tree per 40 linear feet along the perimeter adjacent to the rights-of-way, then trees of at least 4" caliper shall be provided.
6. As noted on the Preliminary Site Plan in Unit 2, a separate 20 foot deep HOA Tract shall be provided on the north property line adjacent to property owned by others. The Tract shall contain the preserved natural vegetation, and a fence on the Lot-side of the Tract. The fence shall not be required within the jurisdictional wetlands if conditions are such that construction of a fence is unreasonable.
7. Where property (real estate # 159827-0000) currently owned by the Burkes is adjacent to the development, an 8 foot height fence, as shown on the Preliminary Site Plan, shall be provided. Where the fence is located on the property line at the development's Park area, clumping bamboo shall be provided on the Park side of the fence between the fence and the Multi-use Trail.

Miscellaneous.

1. No subdivision identity sign may exceed a height of 6 feet.
2. The open ditch that runs in a north/south direction currently located on the Burke property that is close to the east property line in the northern portion of Unit 2, shall be moved by the developer westward off the Burke property and wholly onto the Unit 2 property prior to the issuance of the first Single Family Residential New Building Permit.

3. A separate platted Tract, to be owned by the HOA, shall be created in Unit 2 between Lots 14 and 15, and Lots 33 and 34 in order to allow the drainage to occur from the north offsite, south toward the wetlands adjacent to Clapboard Creek. A statement on the plat, in the recorded HOA documents, and a deed restriction for Lots 14, 15, 33 and 34 of Unit 2 shall indicate the prohibition of filling, grading, planting or constructing structures in that area.
4. Only one story homes shall be allowed to be constructed in Unit 1 on Lots 1-10, 25-29, 36, 37, and 40, as those Lots are located on the Preliminary Site Plan.
5. Only one story homes shall be allowed to be constructed in Unit 2, Lots 33-37, as those Lots are located on the Preliminary Site Plan.
6. The lot mix for Unit 2 totaling 37 lots shall be as follows: 18 lots at 60 ' wide (Lots 1-3, 16-30); 3 lots at 64'-69' wide (Lots 4, 31,32); and 12 lots at 70' wide (Lots 5-13, 35-37). Lots 14, 15, 33, 34 shall be as substantially shown on the Preliminary Site Plan.
7. Street trees shall be provided between the sidewalk and the roadway in Parcel C at a minimum, and shall count toward the required trees on the Lot, or as mitigation trees.