

## AGENDA ITEM #16

**Ordinance 2024-396 (Rezoning)  
Harbour Mixed-Use PUD**

Ordinance 2024-396 will be heard by the LUZ Committee on July 16<sup>th</sup> for a recommendation to the Council. This Ordinance was filed **with the conditions listed below included in the legislation**. Should the Committee recommend approval of Ordinance 2024-396, as is, without any amendment to the below listed conditions, the result would be a recommendation to approve the rezoning from PUD (2007-356-E) to PUD subject to these conditions.

1. Developer shall notify the Parks, Recreation and Community Services Department and the Office of General Counsel in writing of its intention to proceed with the project at least nine (9) months prior to the anticipated notice of commencement to begin construction. The Developer agrees to negotiate in good faith with the City to enter into a cost-sharing agreement, the terms for which are set forth in **Exhibit 5**, for the construction and maintenance of a public boat ramp with no less than two (2) bays as well as a minimum of thirty (30) trailer parking spaces as conceptually depicted on **Exhibit 6**.
2. Provided that a cost-sharing agreement is executed not later than the filing of a notice of commencement to begin construction on the property, Developer will construct the public boat ramp and trailer parking spaces, which shall be completed prior to issuance of any certificate of occupancy for the property.
3. Developer shall grant a nonexclusive easement to the boat ramp, associated trailer parking, and ingress/egress thereto prior to commencement of construction on the boat ramp, subject to the review and approval by the Planning and Development Department and the Parks, Recreation, and Community Services Department.
4. Residential development shall not exceed 560 dwelling units.
5. Nonresidential commercial use (not including marina wet and dry slips) shall not exceed 106,000 square feet.
6. The total number of marina slips (wet and dry) will not exceed 650. The minimum number of marina slips that shall be made available to the general public on a first-come first-serve basis shall be 100. The marina, when constructed, shall comply with the requirements of the current Florida Clean Marina Program, as designated by state law.
7. All residential and commercial uses (other than boat channels, basins, docks, slips, and ramps) shall be confined to the areas of the existing disturbed site and spoil site, but in any event only above the mean high water line. All residential development shall be clustered outside the published 2013 Coastal High Hazard Area and comply with applicable Coastal High Hazard regulations.
8. All residential uses shall be located above the elevation of the category 1 storm surge line as established by the Sea, Lake and Overland Surges from Hurricane (SLOSH) computerized storm surge model, which on the Property is approximately 3.914 feet (NAVD-88) (formerly 5.0 feet (NGVD-29)). Historically there are approximately 23.88 acres above 5.0 feet in elevation on the Property which are deemed to not be located within the published 2013 Coastal High Hazard Area as defined under Florida Statutes.
9. Prior to issuance of a certificate of occupancy for the residential development on the Subject Property, Developer shall provide a conservation easement in favor of the City of Jacksonville over 3 acres of land depicted in the sketch and legal description prepared by Survey and Mapping, LLC, dated May 13, 2022, filed with the Planning and Development Department.
10. Developer shall comply with all requirements of City of Jacksonville Ordinance Code Chapter 655 – Concurrency and Mobility Management System.

### 2024-413 Proposed REVISED Conditions (LUZ)

1. The development shall be permitted one pole sign on Interstate 95, not exceeding 150 square feet in area and 50 feet in height. The pole sign shall be at least 200 feet from the existing ~~pole sign billboard~~.
2. A traffic study shall be provided at Civil Site Plan Review. The traffic study shall meet the requirements of the Land Development Procedures Manual Section 1.1.11 (January 2024).
3. The typical street cross section for a right of way proposed to be dedicated to the City of Jacksonville shall match that found in the Land Development Procedures Manual Volume 3: Standard Details, Plate P-127.
4. ~~The sidewalk on Owens Road shall be constructed with this subdivision and shall be part of the approval/acceptance process.~~

Prior to the issuance of the first residential unit certificate of occupancy (or its functional equivalent) within the Subject Property, the developer shall either commence construction of a sidewalk along Owens Road or contribute to the sidewalk fund as provided for in Chapter 654 (Code of Subdivision Regulations), Ordinance Code.