

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2022-339-E**

5 AN ORDINANCE ADOPTING A SMALL-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 MULTI-USE (MU) SUBJECT TO FUTURE LAND USE ELEMENT
10 (FLUE) SITE SPECIFIC POLICY 4.3.2 FOR THE BARTRAM
11 PARK DEVELOPMENT OF REGIONAL IMPACT (DRI) ON
12 APPROXIMATELY 11.40± ACRES LOCATED IN COUNCIL
13 DISTRICT 11 AT 0 RACETRACK ROAD AND 0 INTERSTATE-
14 95, BETWEEN INTERSTATE-95 AND STATE ROAD 9B (R.E.
15 NOS. 168139-0105 (PORTION), 168139-0115
16 (PORTION), 168139-0550 (PORTION), AND 168139-
17 0540 (PORTION)), OWNED BY BARTRAM COMMONS
18 PROPERTY OWNERS ASSOCIATION, INC., CHADBOURNE VI
19 LLC, CHADBOURNE VII LLC, AND CHADBOURNE VIII LLC,
20 AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT
21 TO APPLICATION NUMBER L-5668-22C; PROVIDING A
22 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
23 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
24 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
25 DATE.
26

27 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
28 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
29 application for a proposed Small-Scale Amendment to the Future Land
30 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
31 Future Land Use designation from Agriculture-IV (AGR-IV) to Multi-

1 Use (MU) subject to FLUE Site Specific Policy 4.3.2 for the Bartram
2 Park DRI on approximately 11.40± acres of certain real property in
3 Council District 11 was filed by Staci Rewis, Esq., on behalf of the
4 owners, Bartram Commons Property Owners Association, Inc., Chadbourne
5 VI LLC, Chadbourne VII LLC, and Chadbourne VIII LLC; and

6 **WHEREAS**, the Planning and Development Department reviewed the
7 proposed revision and application and has prepared a written report
8 and rendered an advisory recommendation to the City Council with
9 respect to the 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
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 of the City
16 Council held a public hearing on this proposed amendment to the *2030*
17 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
18 considered all written and oral comments received during the public
19 hearing, and has made its recommendation to the City Council; and

20 **WHEREAS**, the City Council held a public hearing on this proposed
21 amendment, with public notice having been provided, pursuant to
22 Section 163.3187, *Florida Statutes* and Chapter 650, Part 4, *Ordinance*
23 *Code*, and considered all oral and written comments received during
24 public hearings, including the data and analysis portions of this
25 proposed amendment to the *2030 Comprehensive Plan* and the
26 recommendations of the Planning and Development Department, the
27 Planning Commission and the LUZ Committee; 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 11.40± acres (R.E. Nos. 168139-0105 (portion), 168139-
13 0115 (portion), 168139-0550 (portion) and 168139-0540 ((portion)) are
14 located in Council District 11 at 0 Interstate-95 and 0 Racetrack
15 Road, between Interstate-95 and State Road 9B, as more particularly
16 described in **Exhibit 1**, dated February 22, 2022, and graphically
17 depicted in **Exhibit 2**, both **attached hereto** and incorporated herein
18 by this reference (the "Subject Property").

19 **Section 3. Owner and Applicant Description.** The Subject
20 Property is owned by Bartram Commons Property Owners Association,
21 Inc., Chadbourne VI LLC, Chadbourne VII LLC, and Chadbourne VIII LLC.
22 The applicant is Staci Rewis, Esq., One Independent Drive, Suite
23 1200, Jacksonville, Florida 32202; (904) 301-1269.

24 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
25 City Council hereby adopts a proposed Small-Scale revision to the
26 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
27 the Future Land Use Map designation from Agriculture-IV (AGR-IV) to
28 Multi-Use (MU) subject to FLUE Site Specific Policy 4.3.2 for the
29 Bartram Park DRI, pursuant to Application Number L-5668-22C.

30 **Section 5. Applicability, Effect and Legal Status.** The
31 applicability and effect of the *2030 Comprehensive Plan*, as herein

1 amended, shall be as provided in the Community Planning Act, Sections
2 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
3 development undertaken by, and all actions taken in regard to
4 development orders by governmental agencies in regard to land which
5 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
6 be consistent therewith as of the effective date of this amendment
7 to the plan.

8 **Section 6. Effective Date of this Plan Amendment.**

9 (a) If the amendment meets the criteria of Section 163.3187,
10 *Florida Statutes*, as amended, and is not challenged, the effective
11 date of this plan amendment shall be thirty-one (31) days after
12 adoption.

13 (b) If challenged within thirty (30) days after adoption, the
14 plan amendment shall not become effective until the state land
15 planning agency or the Administration Commission, respectively,
16 issues a final order determining the adopted Small-Scale Amendment
17 to be in compliance.

18 **Section 7. Disclaimer.** The amendment granted herein shall
19 **not** be construed as an exemption from any other applicable local,
20 state, or federal laws, regulations, requirements, permits or
21 approvals. All other applicable local, state or federal permits or
22 approvals shall be obtained before commencement of the development
23 or use, and issuance of this amendment is based upon acknowledgement,
24 representation and confirmation made by the applicant(s), owner(s),
25 developer(s) and/or any authorized agent(s) or designee(s) that the
26 subject business, development and/or use will be operated in strict
27 compliance with all laws. Issuance of this amendment does **not**
28 approve, promote or condone any practice or act that is prohibited
29 or restricted by any federal, state or local laws.

30 **Section 8. Effective Date.** This Ordinance shall become
31 effective upon signature by the Mayor or upon becoming effective

1 without the Mayor's signature.

2

3 Form Approved:

4

5 /s/ Mary E. Staffopoulos

6 Office of General Counsel

7 Legislation Prepared By: Helena Parola

8 GC-#1496426-v2-2022-339_(L-5668-22C).docx