

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-68**

5 AN ORDINANCE APPROVING A CONCEPTUAL MASTER PLAN
6 FOR DEVELOPMENT OF APPROXIMATELY 6,174.21± ACRES
7 IN COUNCIL DISTRICT 11, AT 0 J. TURNER BUTLER
8 BOULEVARD, 0 SOUTH HAMPTON RIDGE BOULEVARD, 0
9 PHILIPS HIGHWAY, 11458 APEX TRAIL AND 0 GRAND
10 STREET, BETWEEN INTERSTATE-295 AND THE ST. JOHNS
11 COUNTY LINE (R.E. NOS. 167748-0000, 167762-0010,
12 167900-0020, 167900-0030, 167900-0040, 167900-
13 0050, 167900-0060, 167900-0070, 167900-0080,
14 167900-0090 AND 167900-0100) (THE "SUBJECT
15 PROPERTY"), OWNED BY BIG CREEK TIMBER, LLC, AS
16 MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A
17 DISCLAIMER THAT THE APPROVAL GRANTED HEREIN SHALL
18 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, a request for approval of the Big Creek Timber, LLC
22 Conceptual Master Plan (the "Conceptual Master Plan") has been filed
23 by Paul Harden, Esq., on behalf of Big Creek Timber, LLC, the owner
24 of certain real property located in Council District 11, as more
25 particularly described herein; and

26 **WHEREAS**, the City of Jacksonville also has before it for
27 consideration and adoption, a Large-Scale Amendment to the 2030
28 *Comprehensive Plan* pursuant to Ordinance 2023-67 and Application
29 Number L-5673-22A, changing the Future Land Use Map designation of
30 the Subject Property from Low Density Residential (LDR) subject to
31 FLUE Site Specific Policies 4.4.11 and 4.4.12 to Multi-Use (MU)

1 subject to FLUE Site Specific Policy 4.3.22; and

2 **WHEREAS**, FLUE Site Specific Policy 4.3.22 requires the owner or
3 authorized agent to develop a long-term Conceptual Master Plan for
4 the Subject Property, which must be reviewed and approved by the City
5 Council prior to submittal of any land development reviews or
6 approvals for development of the Subject Property; and

7 **WHEREAS**, FLUE Site Specific Policy 4.3.22 further requires that
8 any land development of the Subject Property must comply with and
9 must be consistent with an approved long-term Conceptual Master Plan;
10 and

11 **WHEREAS**, the Planning and Development Department reviewed the
12 proposed Conceptual Master Plan, prepared a written report, and
13 rendered an advisory recommendation to the City Council with respect
14 to this proposed Conceptual Master Plan; and

15 **WHEREAS**, the Planning Commission held a public meeting on this
16 proposed Conceptual Master Plan, and having reviewed and considered
17 the advisory recommendation of the Planning and Development
18 Department as well as testimony and evidence received during the
19 Commission's public meeting, has rendered an advisory opinion; and

20 **WHEREAS**, the Land Use and Zoning (LUZ) Committee held a public
21 hearing on this proposed Conceptual Master Plan, with due public
22 notice having been provided, and having reviewed and considered all
23 testimony and evidence received during the public hearing, made its
24 recommendation to the City Council; and

25 **WHEREAS**, the City Council further considered all oral and
26 written comments received during the public hearings, including the
27 recommendations of the Planning and Development Department and the
28 LUZ Committee; and

29 **WHEREAS**, in the exercise of its authority, the City Council has
30 determined it appropriate and desirable to approve the proposed
31 Conceptual Master Plan for development of the Subject Property; now,

1 therefore

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

3 **Section 1. Purpose and Intent.** This Ordinance is adopted
4 at the request of Big Creek Timber, LLC, the owner of certain real
5 property identified in Section 2, to carry out the purpose and intent
6 of, and exercise the authority set out in, the Community Planning
7 Act, Sections 163.3161 through 163.3248, *Florida Statutes*, and
8 Chapter 166, *Florida Statutes*, as amended.

9 **Section 2. Subject Property Location and Description.** The
10 approximately 6,174.21± acres are located in Council District 11 at
11 0 J. Turner Butler Boulevard, 0 South Hampton Ridge Boulevard, 0
12 Philips Highway, 11458 Apex Trail and 0 Grand Street, between
13 Interstate-295 and the St. Johns County line (R.E. Nos. 167748-0000,
14 167762-0010, 167900-0020, 167900-0030, 167900-0040, 167900-0050,
15 167900-0060, 167900-0070, 167900-0080, 167900-0090 and 167900-0100),
16 as more particularly described in **Exhibit 1** dated February 14, 2022,
17 and graphically depicted in **Exhibit 2**, both of which are attached
18 hereto and incorporated herein by this reference (the "Subject
19 Property").

20 **Section 3. Owner and Applicant Description.** The Subject
21 Property is owned by Big Creek Timber, LLC. The applicant is Paul
22 Harden, Esq., 1431 Riverplace Boulevard, Suite 901, Jacksonville,
23 Florida 32207; (904) 396-5731.

24 **Section 4. Approval of Conceptual Master Plan.** The City
25 Council hereby approves the Big Creek Timber, LLC Conceptual Master
26 Plan dated November 2, 2022, in substantially the same form as has
27 been placed **On File** with the Office of Legislative Services.
28 Development of the Subject Property shall be consistent with and in
29 compliance with the Conceptual Master Plan and the Large-Scale
30 Amendment to the *2030 Comprehensive Plan*, including FLUE Site Specific
31 Policy 4.3.22, proposed to be adopted pursuant to Ordinance 2023-67.

1 **Section 5. Disclaimer.** The approval granted herein shall
2 **not** be construed as an exemption from any other applicable local,
3 state, or federal laws, regulations, requirements, permits or
4 approvals. All other applicable local, state or federal permits or
5 approvals shall be obtained before commencement of the development
6 or use and this approval is based upon acknowledgement, representation
7 and confirmation made by the applicant(s), owner(s), developer(s)
8 and/or any authorized agent(s) or designee(s) that the subject
9 business, development and/or uses on the Subject Property will be
10 operated in strict compliance with all laws. Approval of the Big
11 Creek Timber, LLC Conceptual Master Plan does **not** approve, promote
12 or condone any practice or act that is prohibited or restricted by
13 any federal, state or local laws.

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

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18 Form Approved:

19
20 _____ /s/ Mary E. Staffopoulos

21 Office of General Counsel

22 Legislation Prepared By: Kristen Reed

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