

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-116**

5 AN ORDINANCE TRANSMITTING TO THE STATE OF  
6 FLORIDA'S VARIOUS AGENCIES FOR REVIEW, A  
7 PROPOSED LARGE SCALE REVISION TO THE FUTURE LAND  
8 USE MAP SERIES OF THE 2030 *COMPREHENSIVE PLAN* TO  
9 CHANGE THE FUTURE LAND USE DESIGNATION FROM  
10 LIGHT INDUSTRIAL (LI), MEDIUM DENSITY  
11 RESIDENTIAL (MDR) AND RESIDENTIAL-PROFESSIONAL-  
12 INSTITUTIONAL (RPI) TO MEDIUM DENSITY  
13 RESIDENTIAL (MDR) AND RESIDENTIAL-PROFESSIONAL-  
14 INSTITUTIONAL (RPI) ON APPROXIMATELY 127.95±  
15 ACRES LOCATED IN COUNCIL DISTRICT 14 AT 0  
16 ROOSEVELT BOULEVARD, 4811 COLLINS ROAD AND 4837  
17 COLLINS ROAD, BETWEEN ROOSEVELT BOULEVARD AND  
18 ORTEGA BLUFF PARKWAY (R.E. NOS. 098422-0000,  
19 099140-0000, 099140-0020, 099151-0000 (PORTION)  
20 AND 105562-0010), OWNED BY EDWARD L. TONEY AND  
21 JOAN M. TONEY, AS CO-TRUSTEES OF THE JOAN M.  
22 TONEY REVOCABLE TRUST DATED JULY 28, 2017, AND  
23 JEMSET LLC, AS MORE PARTICULARLY DESCRIBED  
24 HEREIN, PURSUANT TO APPLICATION NUMBER L-5778-  
25 22A; PROVIDING A DISCLAIMER THAT THE TRANSMITTAL  
26 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
27 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
28 PROVIDING AN EFFECTIVE DATE.

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30 **WHEREAS**, pursuant to the provisions of Section 650.402(b),  
31 *Ordinance Code*, Application Number L-5778-22A requesting a revision

1 to the Future Land Use Map series of the *2030 Comprehensive Plan* to  
2 change the future land use designation from Light Industrial (LI),  
3 Medium Density Residential (MDR) and Residential-Professional-  
4 Institutional (RPI) to Medium Density Residential (MDR) and  
5 Residential-Professional-Institutional (RPI) has been filed by  
6 Marshall Phillips, Esq., on behalf of the owners of certain real  
7 property located in Council District 14, as more particularly  
8 described in Section 2; and

9 **WHEREAS**, the Planning and Development Department reviewed the  
10 proposed revision and application, held a public information workshop  
11 on this proposed amendment to the *2030 Comprehensive Plan*, with due  
12 public notice having been provided, and having reviewed and considered  
13 all comments received during the public workshop, has prepared a  
14 written report and rendered an advisory recommendation to the Council  
15 with respect to this proposed amendment; and

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

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

26 **WHEREAS**, the City Council held a public hearing on this proposed  
27 amendment with public notice having been provided, pursuant to Section  
28 163.3184(3), *Florida Statutes*, and Chapter 650, Part 4, *Ordinance*  
29 *Code*, and having considered all written and oral comments received  
30 during the public hearing, the recommendations of the Planning and  
31 Development Department, the LPA, and the LUZ Committee, desires to

1 transmit this proposed amendment through the State's Expedited State  
2 Review Process for amendment review to the Florida Department of  
3 Economic Opportunity, as the State Land Planning Agency, the Northeast  
4 Florida Regional Council, the Florida Department of Transportation,  
5 the St. Johns River Water Management District, the Florida Department  
6 of Environmental Protection, the Florida Fish and Wildlife  
7 Conservation Commission, the Department of State's Bureau of Historic  
8 Preservation, the Florida Department of Education, and the Department  
9 of Agriculture and Consumer Services; now, therefore

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

11 **Section 1. Purpose and Intent.** The Council hereby approves  
12 for transmittal to the various State agencies for review a proposed  
13 large-scale revision to the Future Land Use Map series of the *2030*  
14 *Comprehensive Plan* by changing the future land use designation from  
15 Light Industrial (LI), Medium Density Residential (MDR) and  
16 Residential-Professional-Institutional (RPI) to Medium Density  
17 Residential (MDR) and Residential-Professional-Institutional (RPI),  
18 pursuant to Application Number L-5778-22A.

19 **Section 2. Subject Property Location and Description.** The  
20 approximately 127.95± acres are located in Council District 14 at 0  
21 Roosevelt Boulevard, 4811 Collins Road and 4837 Collins Road, between  
22 Roosevelt Boulevard and Ortega Bluff Parkway (R.E. Nos. 098422-0000,  
23 099140-0000, 099140-0020, 099151-0000 (portion) and 105562-0010), as  
24 more particularly described in **Exhibit 1**, dated January 30, 2023, and  
25 graphically depicted in **Exhibit 2**, both of which are attached hereto  
26 and incorporated herein by this reference (the "Subject Property").

27 **Section 3. Owner and Applicant Description.** The Subject  
28 Property is owned by Edward L. Toney and Joan M. Toney, as Co-Trustees  
29 of the Joan M. Toney Revocable Trust dated July 28, 2017, and JEMSET  
30 LLC. The applicant is Marshall Phillips, Esq., 1301 Riverplace  
31 Boulevard, Suite 1500, Jacksonville, Florida 32207; (904) 346-5535.

1           **Section 4.           Disclaimer.**       The transmittal granted herein  
2 shall **not** be construed as an exemption from any other applicable  
3 local, 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 issuance of this transmittal is based upon acknowledgement,  
7 representation and confirmation made by the applicant(s), owner(s),  
8 developer(s) and/or any authorized agent(s) or designee(s) that the  
9 subject business, development and/or use will be operated in strict  
10 compliance with all laws. Issuance of this transmittal does **not**  
11 approve, promote or condone any practice or act that is prohibited  
12 or restricted by any federal, state or local laws.

13           **Section 5.           Effective Date.**   This Ordinance shall become  
14 effective upon signature by the Mayor or upon becoming effective  
15 without the Mayor's signature.

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17 Form Approved:

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19           /s/ Mary E. Staffopoulos          

20 Office of General Counsel

21 Legislation Prepared by: Krista Fogarty

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