

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

5 AN ORDINANCE APPROVING, SUBJECT TO CONDITIONS, A
6 CONCEPTUAL MASTER PLAN FOR DEVELOPMENT OF
7 APPROXIMATELY 6,174.21± ACRES IN COUNCIL DISTRICT
8 11, AT 0 J. TURNER BUTLER BOULEVARD, 0 SOUTH
9 HAMPTON RIDGE BOULEVARD, 0 PHILIPS HIGHWAY, 11458
10 APEX TRAIL AND 0 GRAND STREET, BETWEEN
11 INTERSTATE-295 AND THE ST. JOHNS COUNTY LINE
12 (R.E. NOS. 167748-0000, 167762-0010, 167900-
13 0020, 167900-0030, 167900-0040, 167900-0050,
14 167900-0060, 167900-0070, 167900-0080, 167900-
15 0090 AND 167900-0100) (THE "SUBJECT PROPERTY"),
16 OWNED BY BIG CREEK TIMBER, LLC, AS MORE
17 PARTICULARLY DESCRIBED HEREIN; PROVIDING A
18 DISCLAIMER THAT THE APPROVAL GRANTED HEREIN SHALL
19 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
21

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

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

1 FLUE Site Specific Policies 4.4.11 and 4.4.12 to Multi-Use (MU)
2 subject to FLUE Site Specific Policy 4.3.22; and

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

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

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

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

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

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

30 **WHEREAS**, in the exercise of its authority, the City Council has
31 determined it appropriate and desirable to approve the proposed

1 Conceptual Master Plan for development of the Subject Property; now,
2 therefore

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

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

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

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

25 **Section 4. Approval of Conceptual Master Plan.** The City
26 Council hereby approves the Big Creek Timber, LLC Conceptual Master
27 Plan dated November 2, 2022, in substantially the same form as has
28 been placed **On File** with the Office of Legislative Services, subject
29 to the conditions outlined below. Development of the Subject Property
30 shall be consistent with and in compliance with the Conceptual Master
31 Plan and the Large-Scale Amendment to the *2030 Comprehensive Plan*,

1 including FLUE Site Specific Policy 4.3.22, proposed to be adopted
2 pursuant to Ordinance 2023-67. The Big Creek Timber, LLC Conceptual
3 Master Plan dated November 2, 2022, is approved subject to the
4 following conditions:

5 (1) Pursuant to the Multi-Use (MU) Future Land Use Category,
6 as stated in the Future Land Use Element of the *2030 Comprehensive*
7 *Plan*, conceptual master plans must, at a minimum, include information
8 to address nine criteria. The information supplied in response to
9 criteria number nine shall be revised to state as follows:

10 "(a) Revisions to the Conceptual Master Plan shall be
11 submitted to the Planning and Development Department and shall
12 be scheduled for review by the City Council upon a determination
13 by the Planning and Development Department that the revised
14 Conceptual Master Plan is sufficient and complete. It is
15 acknowledged that development shall not be permitted until such
16 time as the Conceptual Master Plan is approved by the City
17 Council, and all development within shall be consistent with the
18 approved Conceptual Master Plan and any additional information
19 provided to the City as part of the Conceptual Master Plan and
20 Multi-Use PUD approvals. Big Creek Timber, LLC or its assigned
21 Master Developer reserves the exclusive right to submit
22 amendments to the Conceptual Master Plan for approval by the
23 City Council.

24 (b) The property owner shall provide the Planning and
25 Development Department with a letter formally designating the
26 Master Developer of record for the purposes of implementation
27 and compliance with the Conceptual Master Plan. The letter
28 shall include contact information for the Master Developer and
29 shall be submitted to the Planning and Development Department
30 within 30 days of the City Council's approval of the Conceptual
31 Master Plan."

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.

17
18 Form Approved:

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20 _____
 /s/ Mary E. Staffopoulos

21 Office of General Counsel

22 Legislation Prepared By: Kristen Reed

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