

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-227**

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 RURAL RESIDENTIAL (RR) IN
9 THE RURAL DEVELOPMENT AREA TO LOW DENSITY
10 RESIDENTIAL (LDR) IN THE SUBURBAN DEVELOPMENT
11 AREA ON APPROXIMATELY 47.00± ACRES LOCATED IN
12 COUNCIL DISTRICT 2 AT 1941, 1955, 1981, 1984,
13 2005, 2012, 2032, 2033, 2049, 2110, 2123 AND 2128
14 ED JOHNSON DRIVE, 0 YELLOW BLUFF ROAD, 15719
15 YELLOW BLUFF ROAD, AND 1530 JAKE ROAD, BETWEEN
16 YELLOW BLUFF ROAD AND LAKE ROAD (R.E. NOS.
17 106151-0011, 106151-0035, 106151-0018, 106151-
18 0016, 106151-0015, 106151-0025, 106151-0013,
19 106151-0080, 106151-0012, 106151-0022, 106151-
20 0000 (PORTION), 106151-0014, 106154-0030,
21 106154-0020, AND 106151-0061), OWNED BY DONALDSON
22 INVESTMENTS, LLC, AS MORE PARTICULARLY DESCRIBED
23 HEREIN, INCLUDING A REVISION TO THE DEVELOPMENT
24 AREAS MAP, PURSUANT TO APPLICATION NUMBER L-5799-
25 23C; PROVIDING A DISCLAIMER THAT THE AMENDMENT
26 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
27 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
28 PROVIDING AN EFFECTIVE DATE.
29

30 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
31 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an

1 application for a proposed Small-Scale Amendment to the Future Land
2 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
3 Future Land Use designation from Rural Residential (RR) in the Rural
4 Development Area to Low Density Residential (LDR) in the Suburban
5 Development Area on 47.00± acres of certain real property in Council
6 District 2 was filed by Cyndy Trimmer, Esq., on behalf of the owner,
7 Donaldson Investments, LLC; and

8 **WHEREAS**, the Planning and Development Department reviewed the
9 proposed revision and application and has prepared a written report
10 and rendered an advisory recommendation to the City Council with
11 respect to the proposed amendment; and

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

17 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
18 Council held a public hearing on this proposed amendment to the *2030*
19 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
20 considered all written and oral comments received during the public
21 hearing, and has made its recommendation to the City Council; and

22 **WHEREAS**, the City Council held a public hearing on this proposed
23 amendment, with public notice having been provided, pursuant to
24 Section 163.3187, *Florida Statutes* and Chapter 650, Part 4, *Ordinance*
25 *Code*, and considered all oral and written comments received during
26 public hearings, including the data and analysis portions of this
27 proposed amendment to the *2030 Comprehensive Plan* and the
28 recommendations of the Planning and Development Department, the
29 Planning Commission and the LUZ Committee; and

30 **WHEREAS**, in the exercise of its authority, the City Council has
31 determined it necessary and desirable to adopt this proposed amendment

1 to the *2030 Comprehensive Plan* to preserve and enhance present
2 advantages, encourage the most appropriate use of land, water, and
3 resources consistent with the public interest, overcome present
4 deficiencies, and deal effectively with future problems which may
5 result from the use and development of land within the City of
6 Jacksonville; now, therefore

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

8 **Section 1. Purpose and Intent.** This Ordinance is adopted
9 to carry out the purpose and intent of, and exercise the authority
10 set out in, the Community Planning Act, Sections 163.3161 through
11 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
12 amended.

13 **Section 2. Subject Property Location and Description.** The
14 approximately 47.00± acres are located in Council District 2 at 1941,
15 1955, 1981, 1984, 2005, 2012, 2032, 2033, 2049, 2110, 2123 and 2128
16 Ed Johnson Drive, 0 Yellow Bluff Road, 15719 Yellow Bluff Road, and
17 1530 Jake Road, between Yellow Bluff Road and Lake Road (R.E. Nos.
18 106151-0011, 106151-0035, 106151-0018, 106151-0016, 106151-0015,
19 106151-0025, 106151-0013, 106151-0080, 106151-0012, 106151-0022,
20 106151-0000 (portion), 106151-0014, 106154-0030, 106154-0020, and
21 106151-0061), as more particularly described in **Exhibit 1**, dated
22 January 20, 2023, and graphically depicted in **Exhibit 2**, both attached
23 hereto and incorporated herein by this reference (the "Subject
24 Property").

25 **Section 3. Owner and Applicant Description.** The Subject
26 Property is owned by Donaldson Investments, LLC. The applicant is
27 Cyndy Trimmer, Esq., 1 Independent Drive, Suite 1200, Jacksonville,
28 Florida 32202; (904) 807-0185.

29 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
30 City Council hereby adopts a proposed Small-Scale revision to the
31 Future Land Use Map series of the *2030 Comprehensive Plan* by changing

1 the Future Land Use Map designation of the Subject Property from
2 Rural Residential (RR) in the Rural Development Area to Low Density
3 Residential (LDR) in the Suburban Development Area, pursuant to
4 Application Number L-5799-23C.

5 **Section 5. Development Areas Map.** The approval herein
6 includes a proposed revision to the Development Areas Map adopted as
7 Future Land Use Element Map L-21, Transportation Element Map T-4, and
8 Capital Improvements Element Map CI-1 of the *2030 Comprehensive Plan*,
9 as depicted in **Exhibit 3**, attached hereto.

10 **Section 6. Applicability, Effect and Legal Status.** The
11 applicability and effect of the *2030 Comprehensive Plan*, as herein
12 amended, shall be as provided in the Community Planning Act, Sections
13 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
14 development undertaken by, and all actions taken in regard to
15 development orders by governmental agencies in regard to land which
16 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
17 be consistent therewith as of the effective date of this amendment
18 to the plan.

19 **Section 7. Effective Date of this Plan Amendment.**

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

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

29 **Section 8. Disclaimer.** The amendment granted herein shall
30 **not** be construed as an exemption from any other applicable local,
31 state, or federal laws, regulations, requirements, permits or

1 approvals. All other applicable local, state or federal permits or
2 approvals shall be obtained before commencement of the development
3 or use, and issuance of this amendment is based upon acknowledgement,
4 representation and confirmation made by the applicant(s), owner(s),
5 developer(s) and/or any authorized agent(s) or designee(s) that the
6 subject business, development and/or use will be operated in strict
7 compliance with all laws. Issuance of this amendment does **not**
8 approve, promote or condone any practice or act that is prohibited
9 or restricted by any federal, state or local laws.

10 **Section 9. Effective Date.** This Ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

13
14 Form Approved:

15
16 _____ /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Marcus Salley

19 GC-#1557398-v2-2023-227_(L-5799-23C) (Dev_Map_RA-SA) .docx