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## ORDINANCE 2023-407

ORDINANCE TRANSMITTING TO THE STATE OF AN FLORIDA'S VARIOUS AGENCIES FOR REVIEW, PROPOSED LARGE SCALE REVISION TO THE FUTURE LAND USE MAP SERIES OF THE 2045 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE DESIGNATION FROM AGRICULTURE (AGR) IN THE RURAL DEVELOPMENT AREA TO LOW DENSITY RESIDENTIAL (LDR) IN THE SUBURBAN DEVELOPMENT AREA ON APPROXIMATELY 37.33± ACRES LOCATED IN COUNCIL DISTRICT 12 AT 0 YELLOW WATER ROAD, BETWEEN BELL ESTATES ROAD AND YELLOW WATER (R.E. NO. 002272-0030), AS LANE PARTICULARLY DESCRIBED HEREIN, OWNED BY JOHN BENTON, AS TRUSTEE OF THE YELLOW WATER LAND TRUST UNDER THE PROVISIONS OF A TRUST AGREEMENT DATED JUNE 10, 1995, INCLUDING A REVISION TO THE DEVELOPMENT AREAS MAP, PURSUANT TO APPLICATION NUMBER L-5717-22A; PROVIDING A DISCLAIMER THAT THE TRANSMITTAL GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Section 650.402(b), Ordinance Code, Application Number L-5717-22A requesting a revision to the Future Land Use Map series of the 2045 Comprehensive Plan to change the future land use designation from Agriculture (AGR) in the Rural Development Area to Low Density Residential (LDR) in the Suburban Development Area has been filed by Cyndy Trimmer, Esq. on

behalf of the owner of certain real property located in Council District 12, as more particularly described in Section 2; and

WHEREAS, the Planning and Development Department reviewed the proposed revision and application, held a public information workshop on this proposed amendment to the 2045 Comprehensive Plan, with due public notice having been provided, and having reviewed and considered all comments received during the public workshop, has prepared a written report and rendered an advisory recommendation to the Council with respect to this proposed amendment; and

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

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

WHEREAS, the City Council held a public hearing on this proposed amendment with public notice having been provided, pursuant to Section 163.3184(3), Florida Statutes, and Chapter 650, Part 4, Ordinance Code, and having considered all written and oral comments received during the public hearing, the recommendations of the Planning and Development Department, the LPA, and the LUZ Committee, desires to transmit this proposed amendment through the State's Expedited State Review Process for amendment review to the Florida Department of Economic Opportunity, as the State Land Planning Agency, the Northeast Florida Regional Council, the Florida Department of Transportation, the St. Johns River Water Management District, the Florida Department of Environmental Protection, the Florida Fish and Wildlife

Conservation Commission, the Department of State's Bureau of Historic Preservation, the Florida Department of Education, the Department of Agriculture and Consumer Services, and to the commanding officers of Naval Air Station Jacksonville, Marine Corps Support Facility - Blount Island, Outlying Land Field Whitehouse, and Naval Station Mayport; now, therefore

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

Section 1. Purpose and Intent. The Council hereby approves for transmittal to the various State agencies for review a proposed large-scale revision to the Future Land Use Map series of the 2045 Comprehensive Plan by changing the future land use designation from Agriculture (AGR) in the Rural Development Area to Low Density Residential (LDR) in the Suburban Development Area, pursuant to Application Number L-5717-22A.

Section 2. Subject Property Location and Description. The approximately 37.33± acres are located in Council District 12 at 0 Yellow Water Road, between Bell Estates Road and Yellow Water Lane (R.E. No. 002272-0030), as more particularly described in Exhibit 1, dated April 29, 2022, and graphically depicted in Exhibit 2, both of which are attached hereto and incorporated herein by this reference (the "Subject Property").

Section 3. Owner and Applicant Description. The Subject Property is owned by John Benton, as Trustee of the Yellow Water Land Trust Under the Provisions of a Trust Agreement dated June 10, 1995. The applicant is Cyndy Trimmer, Esq., One Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904) 807-0185.

Section 4. Development Areas Map. This transmittal includes a proposed revision to the Development Areas Map adopted as Map 6 of the Future Land Use Map Series of the 2045 Comprehensive Plan, as depicted in Exhibit 3, attached hereto.

Section 5. Disclaimer. The transmittal granted herein

shall **not** be construed as an exemption from any other applicable local, state, or federal laws, regulations, requirements, permits or approvals. All other applicable local, state or federal permits or approvals shall be obtained before commencement of the development or use and issuance of this transmittal is based upon acknowledgement, representation and confirmation made by the applicant(s), owner(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this transmittal does **not** approve, promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws.

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

Form Approved:

## /s/ Shannon K. Eller

- 19 Office of General Counsel
- 20 | Legislation Prepared by: Helena Parola
- 21 GC-#1574894-v1-2023-407 (L-5717-22A) (Large-Scale Transmittal).docx