

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-425-E**

5 AN ORDINANCE TRANSMITTING A PROPOSED LARGE
6 SCALE REVISION TO THE FUTURE LAND USE MAP
7 SERIES OF THE 2030 COMPREHENSIVE PLAN TO
8 CHANGE THE FUTURE LAND USE DESIGNATION FROM
9 AGRICULTURE-I (AGR-I), AGRICULTURE-II (AGR-II)
10 AND AGRICULTURE-III (AGR-III) TO LOW DENSITY
11 RESIDENTIAL (LDR) ON APPROXIMATELY 2,512.23±
12 ACRES LOCATED IN COUNCIL DISTRICT 11, ON THE
13 EAST SIDE OF INTERSTATE 295, NORTH OF STATE
14 ROAD 9B AND SOUTH OF J. TURNER BUTLER
15 BOULEVARD, OWNED BY ESTUARY, LLC, AS MORE
16 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
17 APPLICATION NUMBER L-5349-18A, FOR TRANSMITTAL
18 TO THE STATE OF FLORIDA'S VARIOUS AGENCIES FOR
19 REVIEW, INCLUDING A SITE SPECIFIC POLICY;
20 PROVIDING A DISCLAIMER THAT THE TRANSMITTAL
21 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
22 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
23 PROVIDING AN EFFECTIVE DATE.
24

25 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
26 *Ordinance Code*, Application Number L-5349-18A requesting a revision
27 to the Future Land Use Map series of the *2030 Comprehensive Plan* to
28 change the future land use designation from Agriculture-I (AGR-I),
29 Agriculture-II (AGR-II) and Agriculture-III (AGR-III) to Low
30 Density Residential (LDR) has been filed by Paul M. Harden, Esq.,

1 on behalf of Estuary, LLC, the owner of certain real property
2 located in Council District 11, as more particularly described in
3 Section 2; and

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

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

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

22 **WHEREAS**, the City Council held a public hearing on this
23 proposed amendment with public notice having been provided,
24 pursuant to Section 163.3184(3), *Florida Statutes*, and Chapter 650,
25 Part 4, *Ordinance Code*, and having considered all written and oral
26 comments received during the public hearing, the recommendations of
27 the Planning and Development Department, the LPA, and the LUZ
28 Committee, desires to transmit this proposed amendment through the
29 State's Expedited State Review Process for amendment review to the
30 Florida Department of Economic Opportunity, as the State Land
31 Planning Agency, the Northeast Florida Regional Council, the

1 Florida Department of Transportation, the St. Johns River Water
2 Management District, the Florida Department of Environmental
3 Protection, the Florida Fish and Wildlife Conservation Commission,
4 the Department of State's Bureau of Historic Preservation, the
5 Florida Department of Education, and the Department of Agriculture
6 and Consumer Services; now, therefore

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

8 **Section 1. Purpose and Intent.** The Council hereby
9 approves for transmittal to the various State agencies for review a
10 proposed large scale revision to the Future Land Use Map series of
11 the *2030 Comprehensive Plan* by changing the future land use
12 designation from Agriculture-I (AGR-I), Agriculture-II (AGR-II) and
13 Agriculture-III (AGR-III) to Low Density Residential (LDR),
14 pursuant to Application Number L-5349-18A.

15 **Section 2. Site Specific Policy.** Future Land Use Element
16 (FLUE) Policy 4.4.12 is hereby transmitted as follows:
17 Future Land Use Element (FLUE) Policy 4.4.12

18 In accordance with Ordinance 2019-425, which designates a
19 2,512.23 acre LDR land use category on the Future Land Map, the
20 owner or authorized agent shall develop a conceptual long-term
21 master plan addressing the entire 2,512.23 acre site. The LDR land
22 use category and companion rezoning are intended to be holding
23 categories prior to the development of the long-term master plan.
24 The conceptual master plan, and proposed revisions or amendments to
25 the approved plan, shall be subject to review and approval by the
26 Planning Commission prior to submittal of land development reviews
27 and approvals. It is the intention of the owner to amend the Future
28 Land Map to land use designations and companion rezonings
29 consistent with the master plan. However, approximately 250 acres
30 of the site can be developed or rezoned prior to approval of the
31 conceptual master plan. Revisions or amendments to the plan that do

1 not change the approved densities or intensities may be
2 administratively modified by the Planning and Development
3 Department. Development within the site shall be consistent with
4 the conceptual master plan. The conceptual master plan shall, at a
5 minimum, address the following conditions:

6 1. The general distribution, location and
7 densities/intensities of residential and non-residential
8 development;

9 2. Acknowledgement that future land use map amendments and
10 rezonings will be submitted where such uses and densities are
11 inconsistent with the current land use and/or zoning designations;

12 3. The general distribution and location of conservation
13 areas and wetland buffers;

14 4. The strategy for providing centralized utilities for
15 water and sewer service throughout the planning area;

16 5. Identification of the major internal transportation
17 facilities necessary to serve the future land uses through an
18 efficient and connected network; and

19 6. General identification of how the major internal
20 transportation facilities will connect to the external
21 transportation network.

22 The approved conceptual master plan shall be on file with the
23 Planning and Development Department.

24 **Section 3. Subject Property Location and Description.**

25 The approximately 2,512.23± acres is located in Council District
26 11, on the east side of Interstate 295, north of State Road 9B and
27 south of J. Turner Butler Boulevard, as more particularly described
28 in **Exhibit 1**, dated May 9, 2014, and graphically depicted in
29 **Exhibit 2**, both of which are **attached hereto** and incorporated
30 herein by this reference (Subject Property).

31 **Section 4. Owner and Applicant Description.** The Subject

1 Property is owned by Estuary, LLC. The applicant is Paul M.
2 Harden, Esq., 501 Riverside Avenue, Suite 901, Jacksonville,
3 Florida 32202; (904) 396-5731.

4 **Section 5. Disclaimer.** The transmittal granted herein
5 shall **not** be construed as an exemption from any other applicable
6 local, state, or federal laws, regulations, requirements, permits
7 or approvals. All other applicable local, state or federal permits
8 or approvals shall be obtained before commencement of the
9 development or use and issuance of this transmittal is based upon
10 acknowledgement, representation and confirmation made by the
11 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
12 or designee(s) that the subject business, development and/or use
13 will be operated in strict compliance with all laws. Issuance of
14 this transmittal does **not** approve, promote or condone any practice
15 or act that is prohibited or restricted by any federal, state or
16 local laws.

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

20
21 Form Approved:

22
23 /s/ Shannon K. Eller

24 Office of General Counsel

25 Legislation Prepared by: Kristen Fogarty

26 GC-#1306629-v1-2019-425-E