

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-302-E**

5 AN ORDINANCE ADOPTING A LARGE-SCALE AMENDMENT  
6 TO THE FUTURE LAND USE MAP SERIES OF THE 2030  
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND  
8 USE DESIGNATION FROM AGRICULTURE-I (AGR-I),  
9 AGRICULTURE-II (AGR-II), AND AGRICULTURE-III  
10 (AGR-III) TO MULTI-USE (MU) ON APPROXIMATELY  
11 7002.25± ACRES IN COUNCIL DISTRICT 12, AT 0 U.S.  
12 HIGHWAY 301 SOUTH, 0 NORMANDY BOULEVARD AND 0  
13 MAXVILLE MACCLENNY HIGHWAY, BETWEEN INTERSTATE  
14 10 AND MAXVILLE MACCLENNY HIGHWAY, OWNED BY 301  
15 CAPITAL PARTNERS, LLC, AS MORE PARTICULARLY  
16 DESCRIBED HEREIN, PURSUANT TO APPLICATION  
17 NUMBER L-5457-20A; INCLUDING FLUE SITE SPECIFIC  
18 POLICY 4.3.20; PROVIDING A DISCLAIMER THAT THE  
19 AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED  
20 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
21 PROVIDING AN EFFECTIVE DATE.  
22

23 **WHEREAS**, pursuant to the provisions of Section 650.402(b),  
24 *Ordinance Code*, an application for a proposed Large-Scale Amendment  
25 to the Future Land Use Map series (FLUMs) of the *2030 Comprehensive*  
26 *Plan* to change the Future Land Use designation from Agriculture-I  
27 (AGR-I), Agriculture-II (AGR-II) and Agriculture-III (AGR-III) to  
28 Multi-Use (MU), including FLUE Site Specific Policy 4.3.20, has  
29 been filed by Paul M. Harden, Esq., on behalf of 301 Capital  
30 Partners, LLC, the owners of certain real property located in

1 Council District 12, as more particularly described in Section 2;  
2 and

3 **WHEREAS**, the City, by the adoption of Ordinance 2020-598-E,  
4 approved this Large-Scale Amendment to the *2030 Comprehensive Plan*  
5 for transmittal to the Department of Economic Opportunity ("DEO"),  
6 as the State Land Planning Agency, and other required state  
7 agencies, for review and comment, and the adoption deadline set by  
8 Section 163.3184(3), *Florida Statutes*, has been extended, with  
9 required notice to DEO, other required state agencies, and any  
10 affected person who provided comments on this Large-Scale  
11 Amendment; and

12 **WHEREAS**, by various letters and e-mails, the DEO and other  
13 state reviewing agencies transmitted their comments, if any,  
14 regarding this proposed amendment; and

15 **WHEREAS**, the Planning and Development Department reviewed the  
16 proposed revision and application, considered all comments  
17 received, prepared a written report, and rendered an advisory  
18 recommendation to the Council with respect to this proposed  
19 amendment; and

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

25 **WHEREAS**, pursuant to Section 650.408, *Ordinance Code*, the Land  
26 Use and Zoning (LUZ) Committee held a public hearing on this  
27 proposed amendment, and made its recommendation to the City  
28 Council; and

29 **WHEREAS**, pursuant to Section 163.3184(3), *Florida Statutes*,  
30 and Chapter 650, Part 4, *Ordinance Code*, the City Council held a  
31 public hearing with public notice having been provided on this

1 proposed amendment to the *2030 Comprehensive Plan*; and

2       **WHEREAS**, the City Council further considered all oral and  
3 written comments received during public hearings, including the  
4 data and analysis portions of this proposed amendment to the *2030*  
5 *Comprehensive Plan*, the recommendations of the Planning and  
6 Development Department, the LPA, the LUZ Committee and the  
7 comments, if any, of the DEO and the other state reviewing  
8 agencies; and

9       **WHEREAS**, in the exercise of its authority, the City Council  
10 has determined it necessary and desirable to adopt this proposed  
11 amendment to the *2030 Comprehensive Plan* to preserve and enhance  
12 present advantages, encourage the most appropriate use of land,  
13 water, and resources consistent with the public interest, overcome  
14 present deficiencies, and deal effectively with future problems  
15 which may result from the use and development of land within the  
16 City of Jacksonville; now, therefore

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

18       **Section 1. Purpose and Intent.** This Ordinance is adopted  
19 to carry out the purpose and intent of, and exercise the authority  
20 set out in, the Community Planning Act, Sections 163.3161 through  
21 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as  
22 amended.

23       **Section 2. Subject Property Location and Description.** The  
24 approximately 7002.25± acres are in Council District 12, at 0 U.S.  
25 Highway 301 South, 0 Normandy Boulevard and 0 Maxville Macclenny  
26 Highway, between Interstate 10 And Maxville Macclenny Highway, as  
27 more particularly described in **Exhibit 1**, dated June 17, 2020, and  
28 graphically depicted in **Exhibit 2**, both of which are **attached**  
29 **hereto** and incorporated herein by this reference (Subject  
30 Property).

31       **Section 3. Owner and Applicant Description.** The Subject

1 Property is owned by 301 Capital Partners, LLC. The applicant is  
2 Paul M. Harden, Esq., 501 Riverside Avenue, Suite 901,  
3 Jacksonville, Florida 32202; (904) 396-5731.

4 **Section 4. Adoption of Large-Scale Land Use Amendment.**

5 The City Council hereby adopts a proposed Large-Scale revision to  
6 the Future Land Use Map series of the *2030 Comprehensive Plan* by  
7 changing the Future Land Use Map designation from Agriculture-I  
8 (AGR-I), Agriculture-II (AGR-II) and Agriculture-III (AGR-III) to  
9 Multi-Use (MU), pursuant to Application Number L-5457-20A.

10 **Section 5. Site Specific Policy.** The City Council hereby  
11 adopts FLUE Site Specific Policy 4.3.20, dated March 29, 2021, and  
12 **attached hereto as Exhibit 3.**

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

22 **Section 7. Effective Date of this Plan Amendment.** Unless  
23 this plan amendment is timely challenged under the procedures set  
24 forth in Section 163.3184(3), *Florida Statutes*, this plan amendment  
25 shall be effective thirty-one days after DEO notifies the City of  
26 Jacksonville that the plan amendment or plan amendment package is  
27 complete. If this plan amendment is timely challenged under  
28 Section 163.3184(3), *Florida Statutes*, this plan amendment shall  
29 become effective when the DEO or the Administration Commission  
30 enters a final order determining the adopted amendment to be in  
31 compliance. If this plan amendment is found not to be in

1 compliance under the standards and procedures set forth in Chapter  
2 163, Part II, *Florida Statutes*, then this plan amendment shall  
3 become effective only by further action by the City Council. No  
4 development orders, development permits, or land uses dependent on  
5 this amendment may be issued or commence before it has become  
6 effective.

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

20       **Section 9. Effective Date.** This Ordinance shall become  
21 effective upon signature by the Mayor or upon becoming effective  
22 without the Mayor's signature.

23  
24 Form Approved:

25  
26           /s/ Jason Teal          

27 Office of General Counsel

28 Legislation Prepared By: Susan Kelly

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