

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-520-E**

5 AN ORDINANCE ADOPTING A LARGE-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 AGRICULTURE-III (AGR-III)
9 AND AGRICULTURE-IV (AGR-IV) TO RURAL RESIDENTIAL
10 (RR) AND LOW DENSITY RESIDENTIAL (LDR) ON
11 APPROXIMATELY 103.85± ACRES IN COUNCIL DISTRICT
12 12 AT 0 NORMANDY BOULEVARD, 14410 NORMANDY
13 BOULEVARD, 14380 NORMANDY BOULEVARD AND 14370
14 NORMANDY BOULEVARD, BETWEEN NORMANDY BOULEVARD
15 AND MANNING CEMETERY ROAD, OWNED BY WILBUR C.
16 BELL, DONNA F. BELL, RORY E. VILETT AND H. SMITH,
17 INC., AS MORE PARTICULARLY DESCRIBED HEREIN,
18 INCLUDING A REVISION TO THE DEVELOPMENT AREAS
19 MAP, PURSUANT TO APPLICATION NUMBER L-5482-20A;
20 PROVIDING A DISCLAIMER THAT THE AMENDMENT GRANTED
21 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
22 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
23 EFFECTIVE DATE.
24

25 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
26 *Ordinance Code*, an application for a proposed Large-Scale Amendment
27 to the Future Land Use Map series (FLUMs) of the *2030 Comprehensive*
28 *Plan* to change the Future Land Use designation from Agriculture-III
29 (AGR-III) and Agriculture-IV (AGR-IV) to Rural Residential (RR) and
30 Low Density Residential (LDR), has been filed by T.R. Hainline, Esq.,

1 on behalf of Wilbur C. Bell, Donna F. Bell, Rory E. Vilett and H.
2 Smith, Inc., the owners of certain real property located in Council
3 District 12, as more particularly described in Section 2; and

4 **WHEREAS**, the City, by the adoption of Ordinance 2020-680-E,
5 approved this Large-Scale Amendment to the *2030 Comprehensive Plan*
6 for transmittal to the Department of Economic Opportunity (DEO), as
7 the State Land Planning Agency, and other required state agencies,
8 for review and comment; and

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

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

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

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

24 **WHEREAS**, pursuant to Section 163.3184(3), *Florida Statutes*, and
25 Chapter 650, Part 4, *Ordinance Code*, the City Council held a public
26 hearing with public notice having been provided on this proposed
27 amendment to the *2030 Comprehensive Plan*; and

28 **WHEREAS**, the City Council further considered all oral and
29 written comments received during public hearings, including the data
30 and analysis portions of this proposed amendment to the *2030*

1 *Comprehensive Plan*, the recommendations of the Planning and
2 Development Department, the LPA, the LUZ Committee and the comments,
3 if any, of the DEO and the other state reviewing agencies; and

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

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

13 **Section 1. Purpose and Intent.** This Ordinance is adopted
14 to carry out the purpose and intent of, and exercise the authority
15 set out in, the Community Planning Act, Sections 163.3161 through
16 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
17 amended.

18 **Section 2. Subject Property Location and Description.** The
19 approximately 103.85± acres are in Council District 12 at 0 Normandy
20 Boulevard, 14410 Normandy Boulevard, 14380 Normandy Boulevard and
21 14370 Normandy Boulevard, between Normandy Boulevard and Manning
22 Cemetery Road, as more particularly described in **Exhibit 1**, dated
23 February 24, 2021, and graphically depicted in **Exhibit 2**, both of
24 which are **attached hereto** and incorporated herein by this reference
25 (the "Subject Property").

26 **Section 3. Owner and Applicant Description.** The Subject
27 Property is owned by Wilbur C. Bell, Donna F. Bell, Rory E. Vilett
28 and H. Smith, Inc. The applicant is T.R. Hainline, Esq., 1301
29 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207; (904)
30 346-5531.

1 **Section 4. Adoption of Large-Scale Land Use Amendment.** The
2 City Council hereby adopts a proposed Large-Scale revision to the
3 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
4 the Future Land Use Map designation from Agriculture-III (AGR-III)
5 and Agriculture-IV (AGR-IV) to Rural Residential (RR) and Low Density
6 Residential (LDR), pursuant to Application Number L-5482-20A.

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

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

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

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

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

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

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22 Form Approved:

23
24 /s/ Mary E. Staffopoulos

25 Office of General Counsel

26 Legislation Prepared By: Edward Lukacovic

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