ORDINANCE 2024-XX

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CITY OF BUNNELL COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR THE LARGE-SCALE AMENDMENT TO THE FUTURE LAND USE MAP IN THE FUTURE LAND USE ELEMENT OF THE CITY OF BUNNELL COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY CONTAINING 2,787± ACRES, OWNED BY JM PROPERTIES X LLC AND WEYERHAEUSER COMPANY, WITHIN THE CITY OF BUNNELL AS SHOWN IN EXHIBIT "B"; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATIONS FOR THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR SERVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the real properties which are the subject of this Ordinance are described in Exhibit "B", located in the City of Bunnell; and

WHEREAS, the owners of the real properties shown in Exhibit "B", JM Properties X LLC and Weyerhaeuser Company, have authorized the applicant, Northeast Florida Developers LLC, to apply for an amendment to the Future Land Use Map in the Future Land Use Element of the 2035 Comprehensive Plan; and

WHEREAS, this large-scale Future Land Use Map amendment is to allow for an integrated master planned mixed-use community known as "Reserve at Hawcreek"; and

WHEREAS, this large-scale Future Land Use Map amendment adheres to the City of Bunnell's 2035 Comprehensive Plan Goals, Objectives, and Policies for future planning and development; and

WHEREAS, the City of Bunnell's Planning, Zoning and Appeals Board, as the City's local planning agency, held a public hearing on April 11, 2024 to consider amending the Future Land Use Map of the Future Land Use Element of the *City of Bunnell Comprehensive Plan* and recommended approval of the proposed Future Land Use Map amendment to the *Comprehensive Plan* for the subject properties as requested by the applicant; and

WHEREAS, Section 163.3184, *Florida Statutes*, relates to the amendment of adopted local government comprehensive plans and sets forth certain requirements relating to large-scale amendments and which are related to proposed large-scale development activities and provides, among other things, that such amendments may be approved without regard to statutory limits on the frequency of consideration of amendments to the *City of Bunnell Comprehensive Plan*; and

WHEREAS, the City of Bunnell has complied with all requirements and procedures of Florida law in processing this amendment to the *City of Bunnell Comprehensive Plan* including, but not limited to, Section 163.3184, *Florida Statutes*.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BUNNELL, FLORIDA:

Section 1. Legislative Findings and Intent.
(a) The City Commission of the City of Bunnell hereby adopts and incorporates into this Ordinance the City of staff report and City Commission agenda memorandum relating to the application relating to the proposed amendment to the City of Bunnell *2035 Comprehensive Plan* pertaining to the subject properties and the recitals (whereas clauses).
(b) The City of Bunnell has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.
(c) This Ordinance is internally consistent with the goals, objectives and policies of the City of Bunnell *2035 Comprehensive Plan*.
(d) The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

Section 2. Amendment to Future Land Use Map.
(a) The Future Land Use Plan Element of the City of Bunnell *2035 Comprehensive Plan* and the City's Future Land Use Map are hereby amended by assigning the various Future Land Use designations to the real properties shown in Exhibit "B" which are the subject of this Ordinance as set forth herein.
(b) The parcel boundary legal description of the "Reserve at Hawcreek" mixed-use community is shown in Exhibit "C".

Section 3. Implementing Administrative Actions.
The City Manager, or designee, is hereby authorized to implement the provisions of this Ordinance as deemed appropriate and warranted.

Section 4. Ratification of Prior Actions.
The prior actions of the City Commission and its agencies in enacting and causing amendments to the *2035 Comprehensive Plan of the City of Bunnell*, as well as the implementation thereof, are hereby ratified and affirmed.

Section 5. Severability.
If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful, or unconstitutional, it shall not be held or impair the validity of the ordinance or effect of any other action or part of this Ordinance.

Section 6. Conflicts.
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Codification/Instructions to Code Codifier.
It is the intention of the City Commission of the City of Bunnell, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Bunnell *2035 Comprehensive Plan* and/or the *Code of Ordinances of the City of Bunnell*, Florida in terms of amending the Future Land use Map of the City.

Section 8. Effective Date.
The large-scale Comprehensive Plan amendment set forth herein shall not become effective, in accordance with Section 163.3184(4)(c)4., *Florida Statutes*, until 31 days after the state land planning agency notifies the City that the plan amendment package is complete. If timely challenged, this large-scale amendment shall not become effective until the state land planning agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance.

First Reading: approved on this _____ day of _____, 2024.

Second Reading/Final Reading: adopted on this _____ day of _____ 2024.

CITY COMMISSION, City of Bunnell, Florida.

By: _____
   Catherine D. Robinson, Mayor

   Approved for form and content by:

   _____
   Vose Law Firm, City Attorney

   Attest:

   _____
Seal: Kristen Bates, CMC, City Clerk

Land Use Map
For
Reserve at Haw Creek
A Mixed Use Community

March 15, 2024

North
N.T.S

Northeast Florida
Developers, LLC

Land Use Categories

Public	±12.5 ac
Ind	±216 ac
Com-M	±44.0 ac
MF	±212 ac
SF-M	±95.5 ac
SF-L	±1,437.5 ac
RE	±770 ac
Total Area	±2,787.50 ac

	Public	Public
	Ind	Industrial
	Com-M	Commercial Medium
	MF	Multifamily
	SF-M	Single Family Medium Density
	SF-L	Single Family Low Density
	RE	Rural Estates