

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-572**

5 AN ORDINANCE ADOPTING A SMALL-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 LOW DENSITY RESIDENTIAL
9 (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR) ON
10 APPROXIMATELY 6.69± ACRES LOCATED IN COUNCIL
11 DISTRICT 12 AT 740 CAHOON ROAD, 0 RAMONA
12 BOULEVARD WEST, 8146 RAMONA BOULEVARD WEST, AND
13 8158 RAMONA BOULEVARD WEST, BETWEEN CAHOON ROAD
14 AND ESTATES COVE ROAD, OWNED BY FIRST BAPTIST
15 CHURCH OF JACKSONVILLE, FLORIDA INC., AS MORE
16 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
17 APPLICATION NUMBER L-5584-21C; PROVIDING A
18 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
19 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
20 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
21 DATE.
22

23 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
24 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
25 application for a proposed Small-Scale Amendment to the Future Land
26 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
27 Future Land Use designation from Low Density Residential (LDR) to
28 Medium Density Residential (MDR) on 6.69± acres of certain real
29 property in Council District 12, was filed by Curtis L. Hart, on
30 behalf of the owner, First Baptist Church of Jacksonville, Florida
31 Inc.; and

1 **WHEREAS**, the Planning and Development Department reviewed the
2 proposed revision and application and has prepared a written report
3 and rendered an advisory recommendation to the City Council with
4 respect to the proposed amendment; and

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

10 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
11 Council held a public hearing on this proposed amendment to the *2030*
12 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
13 considered all written and oral comments received during the public
14 hearing, and has made its recommendation to the City Council; and

15 **WHEREAS**, the City Council held a public hearing on this proposed
16 amendment, with public notice having been provided, pursuant to
17 Section 163.3187, *Florida Statutes* and Chapter 650, Part 4, *Ordinance*
18 *Code*, and considered all oral and written comments received during
19 public hearings, including the data and analysis portions of this
20 proposed amendment to the *2030 Comprehensive Plan* and the
21 recommendations of the Planning and Development Department, the
22 Planning Commission and the LUZ Committee; and

23 **WHEREAS**, in the exercise of its authority, the City Council has
24 determined it necessary and desirable to adopt this proposed amendment
25 to the *2030 Comprehensive Plan* to preserve and enhance present
26 advantages, encourage the most appropriate use of land, water, and
27 resources consistent with the public interest, overcome present
28 deficiencies, and deal effectively with future problems which may
29 result from the use and development of land within the City of
30 Jacksonville; now, therefore

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

1 **Section 1. Purpose and Intent.** This Ordinance is adopted
2 to carry out the purpose and intent of, and exercise the authority
3 set out in, the Community Planning Act, Sections 163.3161 through
4 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
5 amended.

6 **Section 2. Subject Property Location and Description.** The
7 approximately 6.69± acres (R.E. Nos. 007018-0010, 007018-0020,
8 007019-0000, 007020-0000, 007023-0000 and 007023-0010) are located
9 in Council District 12, at 740 Cahoon Road, 0 Ramona Boulevard West,
10 8146 Ramona Boulevard West, and 8158 Ramona Boulevard West, between
11 Cahoon Road and Estates Cove Road, as more particularly described in
12 **Exhibit 1**, dated June 21, 2021, and graphically depicted in **Exhibit**
13 **2**, both **attached hereto** and incorporated herein by this reference
14 (the "Subject Property").

15 **Section 3. Owner and Applicant Description.** The Subject
16 Property is owned by First Baptist Church of Jacksonville, Florida
17 Inc. The applicant is Curtis L. Hart, 8051 Tara Lane, Jacksonville,
18 Florida 32216; (904) 993-5008.

19 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
20 City Council hereby adopts a proposed Small-Scale revision to the
21 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
22 the Future Land Use Map designation from Low Density Residential
23 (LDR) to Medium Density Residential (MDR), pursuant to Application
24 Number L-5584-21C.

25 **Section 5. Applicability, Effect and Legal Status.** The
26 applicability and effect of the *2030 Comprehensive Plan*, as herein
27 amended, shall be as provided in the Community Planning Act, Sections
28 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
29 development undertaken by, and all actions taken in regard to
30 development orders by governmental agencies in regard to land which
31 is subject to the *2030 Comprehensive Plan*, as herein amended, shall

1 be consistent therewith as of the effective date of this amendment
2 to the plan.

3 **Section 6. Effective date of this Plan Amendment.**

4 (a) If the amendment meets the criteria of Section 163.3187,
5 *Florida Statutes*, as amended, and is not challenged, the effective
6 date of this plan amendment shall be thirty-one (31) days after
7 adoption.

8 (b) If challenged within thirty (30) days after adoption, the
9 plan amendment shall not become effective until the state land
10 planning agency or the Administration Commission, respectively,
11 issues a final order determining the adopted Small-Scale Amendment
12 to be in compliance.

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

25 **Section 8. Effective Date.** This Ordinance shall become
26 effective upon signature by the Mayor or upon becoming effective
27 without the Mayor's signature.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Krista Fogarty

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